



Zimbabwe

Country Reports on Human Rights Practices - [2002](#)

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Zimbabwe is a republic in which President Robert Mugabe and his Zimbabwe African National Union-Patriotic Front (ZANU-PF) have dominated the executive and legislative branches of the Government since independence in 1980. Although the Constitution allows for multiple parties, opposition parties and their supporters were subjected to significant intimidation and violence by the ruling party and government security forces, and financial restrictions continued to be imposed on the opposition. In 1999 the country's first viable opposition party emerged, the Movement for Democratic Change (MDC), which won 57 out of 120 seats in the 2000 parliamentary elections. The March presidential election was preceded and followed by a government-sanctioned campaign of violence directed towards supporters and potential supporters of the opposition. Although the voting process itself generally was peaceful, most election observers agreed that there were widespread and serious irregularities and that the election process was not free and fair. The Constitution provides for an independent judiciary; however, the Government eroded its independence by installing judges sympathetic to government policies, sanctioning intimidation against sitting judges, and ignoring or overturning judgments with which it did not agree.

The Zimbabwe Republic Police (ZRP) was responsible for maintaining law and order. Although the ZRP officially was under the authority of the Ministry of Home Affairs, in practice it was controlled by the President's Office. The Zimbabwe National Army and Air Force under the Defense Ministry were responsible for external security; however, they frequently were called upon for domestic operations during the year. The Central Intelligence Organization (CIO), under the Minister of State for National Security in the President's Office, was responsible for internal and external security and had powers of arrest. Senior government and ruling party members tightly controlled the security forces. Members of the security forces committed numerous, serious human rights abuses.

An estimated 60 percent of the population of approximately 12 million survived on subsistence agriculture and approximately 75 percent relied directly or indirectly on agriculture for their livelihood; however, there were significant mining, manufacturing, and service sectors. The political crisis, a drought, excessive government spending, manipulation of interest rates, money supply growth in excess of 100 percent, and the Government-sanctioned land occupations led to inflation, diminished agricultural harvests, reduced foreign investment and tourism, acute foreign exchange and fuel shortages, accelerating unemployment, and shrinking real incomes. The country's gross domestic product (GDP) dropped to an estimated \$4.1 billion (Z\$6,560 billion). During the year, per capita GDP fell to \$344 and, according to authoritative estimates, more than 70 percent of the population lived below the poverty line. International experts estimated that half the population faced starvation by year's end.

The Government's human rights record remained very poor, and it continued to commit numerous, serious abuses. The Constitution provides citizens the right to change their government through free and fair election; however, in practice President Mugabe and his ZANU-PF party used intimidation and violence to maintain political power. A government-sanctioned, systematic campaign of violence targeting supporters and potential supporters of the opposition began in late 2001 and intensified during the year. Security forces committed extrajudicial killings. Ruling party supporters and war veterans (an extralegal militia), with material support from the Government, expanded their occupation of commercial farms, and in some cases killed, abducted, tortured, beat, abused, raped, and threatened farm owners, their workers, opposition party members, and other persons believed to be sympathetic to the opposition. There were reports of politically motivated disappearances. Security forces and government youth militias tortured, beat, raped, and otherwise abused persons. Prison conditions remained harsh and life threatening. The Government frequently did not take steps to prosecute human rights abusers and official impunity was a problem. Arbitrary arrest and detention and lengthy pretrial detention remained problems. The Government undermined the independence of the judiciary by manipulating the composition of the courts and repeatedly refusing to abide by judicial decisions. Infringements on citizens' privacy continued. The Government expanded its far-reaching "fast-track" resettlement program under which nearly all large-scale commercial farms, of

which most were white-owned, were designated for seizure without fair compensation.

The Government continued to restrict freedom of speech and of the press, passed new legislation that imposed stringent controls on the independent media, enforced restrictive laws against journalists, intimidated, arrested, and prosecuted journalists who published antigovernment articles, and monopolized radio and television broadcasting. Journalists also practiced self-censorship, and the Government continued to restrict academic freedom. The Government restricted freedom of assembly and used force on numerous occasions to disperse nonviolent public meetings and demonstrations. The Government at times restricted freedom of movement. Hundreds of thousands of farm workers were displaced internally due to the ongoing land resettlement policies, and tens of thousands of opposition supporters were displaced by threats of violence. The Government manipulated the electoral process effectively to disenfranchise thousands of voters. The Government's Grain Marketing Board (GMB) routinely and publicly denied handouts of maize meal to suspected MDC supporters and provided it only to ruling party supporters. The Government attacked and arrested members of civil society and human rights nongovernmental organizations (NGOs) and accused the NGOs of sponsoring opposition political activity. Domestic violence against women remained widespread, and discrimination against women and persons with disabilities remained problems. Abuse of children and child prostitution were problems. The President and his Government encouraged widespread resentment of the white minority. The Government violated worker rights. Child labor was a problem. There were anecdotal reports of trafficking in persons.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

Security forces committed several extrajudicial killings, and in numerous other cases, army and police units participated or provided transportation and other logistical support to perpetrators of political violence and knowingly permitted their activities.

The Zimbabwe Human Rights NGO Forum, an umbrella group of 9 prominent domestic human rights organizations, reported that 58 persons were confirmed killed as a result of political violence during the year, mostly perpetrated by supporters of the ruling party. ZANU-PF supporters committed almost all of the killings during the year. The majority of those killed in political violence were MDC activists or supporters. A number of farm workers reportedly were killed in political violence; however, exact figures were not known.

For example, on January 28, a group of men in a car accosted Tichaona Katsamudangu in Harare and demanded to know where MDC meetings were held and who occupied MDC party structures. The men then grabbed Katsamudangu and attached cables from the car's revving engine to his thighs and fingernails. Katsamudangu later was forced to swallow an herbal substance, which induced severe diarrhea. He died 4 days after the attacks as a result of his injuries and dehydration. No official action was taken by year's end.

In February war veterans and a suspected CIO officer abducted and tortured for a month three MDC activists from Nkayi, Tembendi Ndebele, Venny Dube, and Newman Bhebhe in an underground military-style bunker. Ndebele died of his injuries shortly after being released. No official action was taken by year's end.

On March 8, unknown assailants killed Amos Museva, a war veteran, on his plot of land in Masvingo. Prior to his death Museva was embroiled in a dispute over ownership of his plot with the daughter of the Deputy Minister of Youth, Gender, Development, and Employment Creation. Police arrested suspects in connection with Museva's death; however, a trial date was not set by year's end.

On September 22, ZANU-PF supporters hacked to death MDC supporter Nikoniari Chibvamudeve in Hurungwe West prior to the rural district council elections. Faston Chipurupuru, another MDC supporter who was with Chibvamudeve at the time, sustained cranial axe wounds and barbed wire lacerations on his back. Twelve arrests were made; however, there was no further official action by year's end.

At least one commercial farmer was killed during the year. Security guards of the government official who was to receive the property ambushed and shot him.

There were no new developments in the following 2001 cases of killings: The March killing of a soldier in police custody; the April beating death by police of a University of Zimbabwe (UZ) student; the August death of Vusumuzi

Mukweli while in custody; and the October beating death by two army soldiers of a man in a Guruve police station.

There was no legal action taken against members of the security forces who in August 2001 killed 3 striking members of the Steel Workers' Union and injured 10 others.

In November 2001, six ZDF soldiers beat and threw Lameck Chemvura, a UZ student who they suspected of supporting the MDC, from a moving train; he subsequently died from his injuries. The soldiers also beat and harassed other passengers. Six soldiers were arrested; however, only one was charged with murder. The police denied that the case was politically motivated. The Rusape magistrate court postponed the case several times and appeared unwilling to try it by year's end.

Lawyers from the Zimbabwe Human Rights NGO forum filed a lawsuit against the police on behalf of the families of the 12 victims of a stampede at a soccer match in 2000. The police failed to respond to the lawyers' allegations that they behaved negligently in firing tear gas into the crowd. The lawyers obtained an order from the court compelling the police to respond to the specific allegation of negligence; however, the police refused to comply. By year's end, the lawyers planned to file an application for a default judgment on behalf of the victims' families with the court.

No further action was taken, nor was any likely to be taken, in the following 2001 cases: The March killing in Muzarabani and Hoya wards, Mashonaland Central province of two MDC members by ZANU-PF supporters; the May assault by four suspected ZANU-PF supporters of Misheck Mwanza that led to his subsequent death in June; and the December abduction and killing of Augustus Chacha, an MDC activist, by suspected ZANU-PF supporters.

The six MDC suspects charged with the 2001 murder of Bernard Gara, a ZANU-PF supporter, during clashes between ruling party and opposition supporters at Baradzanwa Business Centre in Bikita West were acquitted and subsequently released.

The case of Tawanda Mutinzwe, a ZANU-PF supporter, charged with murder and held without bail for allegedly torturing two men to death with a hot iron in 2001 remained pending at year's end.

Despite a May 29 High Court ruling ordering the Government to release three of the nine MDC members implicated in the 2001 killing of Cain Nkala, Bulawayo War Veterans Chairman, on bail until a trial date has been set, they remained in custody. In 2001 the Attorney General's office charged Remember Moyo, Khethani Sibanda, and Sazini Mpofu with murder. The trial date was postponed from November to early 2003 and the accused remained in detention awaiting trial at year's end.

Police arrested several government youth brigade members for the 2001 killing of Trymore Midzi, the MDC vice-chairman for the Bindura district. The youth brigade members appeared in court, were released on bail, and no trial date was set by year's end. Following Midzi's death, local ZANU-PF supporters forced the Midzi family out of their home. No one had been arrested in connection with the deaths of three other MDC activists, including Titus Nheya, an MDC candidate who ran for office but was defeated in the 2000 parliamentary election.

The MDC members implicated in the 2001 killing of war veteran and ZANU-PF supporter Willis Dhliwayo were released without being charged; an investigation was ongoing at year's end.

During the year, police failed to comply with a High Court Order to arrest two known suspects, one of whom serves as the head of the CIO branch in Chimanimani, in the 2000 beating death of the MDC leader Morgan Tsvangirai's campaign manager and another person. There were no arrests or court actions in the case by year's end.

There was no known investigation or action taken, nor is any likely to be taken, against the ZANU-PF supporters responsible for the following killings in 2000: The March killings in Mberengwa district; the April killing of Luckson Kanyurira and another MDC supporter; the May beating to death of Alex Chisasa; the May beating to death of Mationa and Onias Mashaya; and the June killing of Mandishona Mutyanda, MDC ward chairman for Kwekwe district.

There was no action taken, nor was any likely to be taken, against a group of war veterans, including active duty defense force personnel in civilian clothing, for the April 2000 killing of MDC organizer and commercial farmer David Stevens, or the three men armed with rifles who killed commercial farmer Henry Elsworth in December 2000.

Unlike in the previous year, there were no reports that the use of excessive force to disperse demonstrations resulted in deaths (see Section 2.b.).

Harsh prison conditions and a high incidence of HIV/AIDS were acknowledged widely to have contributed to a large number of deaths in prison; the Zimbabwe Prison Service documented that 1,051 prisoners have died of HIV/AIDS-related causes since 1998 (see Section 1.c.). However, some deaths in custody and prison may have been due to abuse.

There were no reports of landmine deaths during the year.

On May 2, the body of MDC polling agent Tipason Madhobha was found in a stream near the Ganye Dam in Gokwe. Madhobha went missing on April 10 after he left his home with a group of neighbors to search for missing cattle. Although the family demanded a postmortem, there was no further inquiry into the cause of Madhobha's death or the circumstances surrounding his disappearance by year's end.

There were no substantial developments in the 2001 killing of 72-year-old Gloria Olds, a commercial farmer. Police arrested one suspect shortly after the murder and claimed that the investigation into Olds' death was ongoing; however, no further action was taken by year's end. ZANU-PF supporters allegedly killed her son, Martin Olds, in 2000.

The police investigation into the 2001 killing of Kwekwe farmer Ralph Fenwick Corbett was ongoing; however, they reportedly had no leads on the case and no one was arrested by year's end.

Unlike in the previous year, there were no reports of ritual murders and killings of children for body parts that were associated with traditional religious practices. On July 22, the High Court acquitted Faber Chidarikire on a ritual murder charge.

b. Disappearance

During the year, there were 35 reports of politically motivated disappearances mostly committed by ZANU-PF supporters, especially in the rural areas where most organized groups were loyal to the Government and few opposition organizations. Domestic human rights organizations believed that there were disappearances in rural areas that were not reported due to fear of retribution by progovernment factions. Many abductees were beaten or tortured, others later were found killed (see Sections 1.a. and 1.c.).

On March 6, suspected ZANU-PF supporters in Mabvuku abducted Thomas Manyika, the MDC polling agent for Mt. Darwin. Manyika was carrying a package of MDC T-shirts when he boarded a local commuter bus. When Manyika disembarked, six men followed him. No suspects were arrested in connection with Manyika's disappearance, nor had the police made any inquiries into the circumstances surrounding his abduction.

In July Musande Matsveta, the MDC treasurer for Buhera South, reportedly was abducted from a funeral service in Masasa by suspected ZANU-PF supporters. On the same day and in the same town, a second MDC member, Kudzai Magama, was abducted from his home by suspected ZANU-PF supporters. Magama's and Matsveta's whereabouts remained unknown. It is unclear whether police were conducting an investigation into their disappearances.

In the pre-election period prior to the September 28 and 29 rural district council elections, at least three MDC candidates were kidnaped and beaten, and several others assaulted (see Section 1.c.). For example, on July 21, ZANU-PF youth allegedly abducted Meynard Mashapa, a potential MDC candidate in the September election in Tanganda, Manicaland, from the Tanganda shopping center, held him for 3 days, and assaulted him. MDC members later rescued him from the home of a ZANU-PF member in Chipinge. The MDC identified those responsible; however, the police took no action on the case by year's end.

There were no further developments or action taken in the following 2001 cases of disappearance: The January abduction, beating, and interrogation for 2 nights of Eide Javachava, a messenger of former MDC parliamentary candidate Elliot Pfebve, by four CIO agents in Harare; the April and May abductions and attempted extortion of managers of urban NGOs and private companies by war veterans; the reported May abduction and detention for several hours of Joel Sithole, the MDC candidate for a local election in Plumtree, by masked men suspected of being ZANU-PF supporters; the July reported abduction of Chipso Ruzive and 27 MDC supporters--the whereabouts of 5 of the supporters remained unknown at year's end--in Bindura by armed police officers claiming

to be war veterans; the July reported kidnaping and torture of 13 MDC supporters by war veterans in Bindura; and the September abduction at knifepoint and detention for 4 hours of the wife and daughter of Elliot Pfebve.

In 2000 suspected ZANU-PF supporters abducted Patrick Nabanyama, a local MDC official and polling agent for Bulawayo South Member of Parliament (M.P.) David Coltart, from his home. Seven war veterans, including Cain Nkala, the chairman of the National Liberation War Veterans Association in Bulawayo, reportedly were arrested and detained for the kidnaping. In 2001, a day after the war veterans' release on bail, Nkala was kidnaped and killed (see Section 1.a.). Unable to charge the remaining six with kidnaping because of President Mugabe's 2000 blanket amnesty for political crimes, the Attorney General charged them with murder. Court records reportedly included admissions by some of the accused to kidnaping and torturing Nabanyama; however, in June the judge, noting the absence of a body, acquitted the accused.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, security forces tortured, beat, and otherwise abused persons. The ZRP showed poor training in criminal apprehension and interrogation, and there were unconfirmed reports of human rights abuses by the CIO. There continued to be reports of police using excessive force in apprehending and detaining criminal suspects. Government supporters continued to beat and torture suspected opposition members, commercial farmers, and farm laborers, and some persons died from torture during the year (see Section 1.a.).

Security forces were involved in incidents of political violence, including instances of soldiers beating civilians nationwide, particularly in areas where persons voted for the opposition.

Government supporters continued to beat and torture suspected opposition members, commercial farmers, farm laborers, and trade union members (see Section 6.a.). An international team of experts from the International Center for Rehabilitation of Torture Victims, led by Dr. Inge Gefencke, visited the country in 2001 and concluded that there was systematic mass physical and psychological torture perpetrated by government supporters throughout the country. Human rights groups have reported that war veterans and other ruling party supporters set up torture chambers in government-funded offices, police stations, and schools to brutalize opposition supporters. National youth training camps were the source of government youth militia forces, which were deployed widely to harass, abduct, and torture suspected MDC supporters during the presidential elections. There were reports that the camps were used to teach paramilitary skills and expertise in political oppressions and torture (see Section 6.c.). The Zimbabwe Human Rights NGO Forum reported 1,061 cases of torture during the year as part of a campaign of political violence.

On February 28, riot police attacked the MDC provincial office in Harare where MDC polling agents were training Philip Jani and others. The police beat Jani and the other agents, took them to the Harare Central Police station, and detained them for 4 days before releasing them without charge at year's end.

On April 6, suspected CIO officers abducted MDC provincial secretary for information and publicity for Midlands, Robbie Siyanai, from the Gweru Central Police station, where he was visiting detained MDC members and took him to an undisclosed location in Gweru where they beat him with their fists, booted feet, and whips. They demanded Siyanai renounce his MDC membership. Siyanai was severely injured in the attack. There were no arrests or investigations by year's end.

In August four MDC members were arrested and detained in connection with the killing of senior ZANU-PF activist Ali Khan Manjengwa in the Mbare area of Harare, including Mbare East M.P. Tichaona Jeffer Munyanyi, who was held for 2 days. MDC intelligence officer Solomon Chikowero and Harare councilor Linos Mushonga were held in police custody and subjected to beatings and electric shock torture for 4 days. Joshua Rusere still was detained without charge.

On September 27, police arrested MDC youth activists Tom Spicer, Cosmos Ndira, Barabas Ndira, Reuben Tichareva, and Tendai Maluzi in the Mabvuku area of Harare. The five were held incommunicado for 4 days at Harare Central Police Station and then released. During his detention, Spicer, an 18-year-old college student, was separated from the others, handcuffed, repeatedly beaten on the soles of his feet, and subjected to electric shock torture lasting 4 hours at a time. No official action was taken against the responsible policemen by year's end.

On December 10, police arrested then beat and tortured the Secretary General of the Zimbabwe Confederation of Trade Unions (ZCTU), Wellington Chibebe.

Persons perceived as supporting the opposition, including judges, teachers, civil servants, health workers, and laborers in the manufacturing sector, were singled out for assault or intimidation by ruling party supporters (see Sections 1.e. and 6.a.). From interviews with victims the Zimbabwe Human Rights NGO Forum reported 75 cases of assault and 34 cases of torture against teachers. In most cases, the national police did not halt acts of political intimidation or violence, arrest the perpetrators, or investigate political crimes. For example, on March 11, ZANU-PF youths attacked 50 polling agents at a Mt. Darwin counting center where they were guarding ballot boxes overnight. Although the agents reported the attack to the local police, by year's end, no arrests were made. Some victims who were tortured or beaten died as a result of their injuries (see Section 1.a.).

On August 1, suspected ZANU-PF youths assaulted Tapera Dzingai, the opposition Chairman for Mbare East in his home. The youths allegedly broke down the door of his house and beat him with broken bottles and sticks. Dzingai filed a report with the police; however, they refused to arrest any suspects. The Police Commissioner Wayne Bvudzijena later said he was unaware of the allegations.

In the months preceding the September nationwide rural council elections, ruling party supporters beat and threatened opposition party candidates in an organized campaign of intimidation that resulted in hundreds of MDC candidates withdrawing from the election (see Section 1.b.). There also were reports of beatings, rapes, and arrests of MDC officials and supporters following the election.

Prior to the September elections, government militia abducted more than 100 MDC supporters and took them to Gunduza School in Gunduza, one of the three sites ZANU-PF set up in Mashonaland Province to detain and beat MDC supporters. Known or suspected MDC supporters were taken to these three sites, pressured to defect to ZANU-PF, and beaten or raped if they refused. In 2001 war veterans set up camps at Kitsiyatota, Chiveso, Murembe, Mupandira, and Maizeland Farms in Bindura district where they tortured captured opposition supporters. The Zimbabwe Human Rights NGO Forum reported that war veterans also established torture camps at Foothill Farm and Nyawa in Bindura in 2001 and at schools in other parts of the country during the year.

On November 15, war veterans detained a foreign diplomat, a local embassy employee, a U.N. employee, and a local citizen for 45 minutes and beat the citizen and the embassy employee. No arrests were made by year's end.

During the year, ruling party supporters increased their attacks on teachers who they suspected of supporting the opposition.

War veterans and ZANU-PF supporters continued to harass, intimidate, and abuse journalists considered to be sympathetic to the opposition during the year (see Section 2.a.).

In a number of rural areas, war veterans and other ZANU-PF supporters conducted "pungwes" (forced nightly political gatherings). Hundreds of villagers were rounded up, driven to remote areas, and forced to chant ZANU-PF slogans or denounce the opposition until the next morning.

Unlike in the previous year, there were no reports that managers of urban NGOs and private companies were abducted or beaten by ZANU-PF members.

Unlike in the previous year, there were no reports that war veterans targeted for abuse ZANU-PF members who were not carrying the new party identification cards.

There was no action taken, nor was any likely, against the responsible officials in the following 2001 cases: The January detention and torture of MDC supporter Ishmael Kauzani by police officers and CIO agents; the May reported beating of the occupants of local nightclubs and other establishments by 50 army recruits; and the July beating of residents in Harare's suburbs during a strike by police; the July beating with batons by police officers in Harare's Budiriro township of Richard Jachi and his wife; and the September detention by police officers and beating by young ZANU-PF members of Tinaapi Diura, a local MDC official in Chikomba.

No action was taken in the following 2001 cases: The June abduction and severe beating of Fani Javangwe in the Harare township of Epworth by ZANU-PF supporters who accused him of being pro-MDC; the June attack on MDC M.P. Willias Madzimore in his home during which his maid and two residential guards sustained serious injuries; the July ambush and stoning of a motorcade carrying MDC President Tsvangirai and several MDC M.P.s by several hundred ZANU-PF supporters in which five persons were injured seriously; the September beating and stabbing of MDC-supporter Mutandera; the October abduction and torture of 10 MDC supporters, including a local MDC official, in Gokwe district by ZANU-PF supporters; the November beating and whipping of numerous farm workers and their families, including a 5-year-old boy, near the town of Marondera by ZANU-PF supporters; the

November assault by hundreds of war veterans and ZANU-PF supporters on shoppers, schoolchildren, and other persons in Bulawayo that caused numerous injuries; and the November reported raid by 300 war veterans on a farm near Chegutu during which they beat farm workers, causing 20 persons to be hospitalized, and burned 42 houses.

There was no known action taken against the ZANU-PF supporters or war veterans responsible for torturing, beating, or otherwise abusing the persons in the following cases from 2000: The April beating and killing of several MDC supporters; the April beating and killing of a commercial farmer; the May beating of Eomonn Oliver; the May beating to death of an army sergeant; the May beating to death of an opposition supporter and his son; the June beating of several journalists; the June beating of an MDC ward chairman; the June reported attacks on 200 schools; the July beating of The Standard journalist Cengetayi Zvanya; and the August sexual abuse of 10 school children.

No action was taken, nor was any likely to be taken, against the army soldiers who allegedly beat an MDC M.P. and MDC members at a political rally in 2000 or against the police and security forces who used excessive force to disperse demonstrations or soccer matches in July and October 2000.

The Amani Trust and Musasa Project reported that at least 14 politically motivated rapes were committed during the year but noted that the figure likely was grossly underreported due to cultural taboos. The attacks targeted MDC supporters, their daughters, and their wives (see Section 5).

There were reports that young girls were raped at national youth service training camps (see Section 5).

Security forces repeatedly used force, including tear gas, to disperse nonviolent demonstrations; security forces also beat demonstrators, which resulted in injuries (see Section 2.b.).

Unlike in the previous year, there were no reports that the Government used excessive force to disperse strikes during the year.

The Government generally has not pursued actively past allegations of torture and has not prosecuted CIO or ZRP officers for such abuses. The 2000 amnesty protects nearly all the agents of the political violence campaign and effectively prevents any criminal prosecutions against them (see Section 1.e.).

No further action was taken by year's end against two suspects who reportedly shot a farmer three times at close range in the Macheke area in November 2001.

There were no reports of landmine injuries during the year.

Prison conditions remained harsh and life threatening. The Government's 42 prisons were designed for a capacity of 16,000 prisoners; they held more than 25,000 at year's end. Overcrowding became worse, and shortages of clothing and poor sanitary conditions persisted, which aggravated outbreaks of cholera, diarrhea, and HIV/AIDS-related illnesses. Government prison service authorities have determined that exposure to HIV/AIDS was a major cause of a large number of deaths in detention, and prison authorities called for more research to address this growing problem; some authorities argued for the early release of such terminally ill prisoners. Fletcher Dulini-Ncube, an MDC M.P. who was arrested in 2001 for the killing of Cain Nkala and held in Khambi Maximum Security Prison for more than 1 month, reportedly was denied regular access to medications for diabetes and hypertension.

In 2001 the Government established a successful community service sentencing program to try to alleviate prison overcrowding. The Legal Resources Foundation, in cooperation with the prison service, had established a human rights training program for prison officials. Officials who mistreated prisoners were punished routinely.

There was a significant increase in the number of women incarcerated during the year. Female prisoners were held in separate cellblocks from male prisoners. There were an estimated 2,000 women in prison, increasingly for crimes of prostitution, embezzlement, fraud, petty theft, and abandonment of infants. Many incarcerated women were obliged to raise their very young children in prison if they had no one to care for them while they were detained. Juveniles generally were held separately from adults; however, a local NGO reported that occasionally juveniles, particularly juveniles between the ages of 16 and 18 years, were held with adult prisoners for brief periods of time.

Pretrial detainees generally were held in group cells until their bail hearings. If detainees were charged and held in

custody, they routinely were held with the general prison population until trial.

The Government permitted international human rights monitors to visit prisons; however, government procedures and requirements made it very difficult to do so. Permission was required from the Commissioner of Prisons and the Minister of Justice, which sometimes took a month or longer to obtain or may not be granted. A local NGO that deals with prisoners' issues was granted access on a number of occasions during the year.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, some laws effectively weakened this prohibition, and security forces arbitrarily arrested and detained persons repeatedly.

The law requires that police inform an arrested person of the charges against him before he is taken into custody. Warrants of arrest issued by the courts were required except in cases of serious crimes or where there was the risk of evidence disappearing. There was a growing problem, especially in rural areas, in which victims or witnesses of crimes who report to the police were charged themselves with the crimes of the perpetrators. Although a preliminary hearing before a magistrate is required within 48 hours of an arrest (or 96 hours over a weekend), the law often was disregarded if a person did not have legal representation. Police typically arrested individuals accused of political crimes on Fridays, so that they could detain them legally until Monday. In several cases, police claimed not to know where they were holding a detained individual, which delayed a hearing on bail release.

Detainees generally were not allowed prompt or regular access to their lawyers. Authorities often informed lawyers who attempted to visit their clients that detainees were "not available." Family members generally were denied access unless accompanied by an attorney. Detainees, especially those from rural areas without legal representation, routinely were held incommunicado. Family members and attorneys often were not able to verify that a person had been detained until the detainee appeared in court.

The Criminal Procedures and Evidence Act substantially reduced the power of magistrates to grant bail without the consent of the Attorney General or his agents; however, in practice a circular issued by the Attorney General giving a general authority to grant bail lessened the negative effect of the rule. High Court judges granted bail independently.

The Official Secrets Act and the Public Order and Security Act (POSA), which replaced the colonial era Law and Order Maintenance Act (LOMA), grant the Government a wide range of legal powers. The POSA, which gives extensive powers to the police, the Minister of Home Affairs, and the President to prosecute persons for political and security crimes that are not defined clearly, was passed by Parliament in January.

Prolonged pretrial detention remained a problem. Detainees spend an average of 6 months incarcerated before their trials because of a critical shortage of magistrates and court interpreters.

On June 3, Law Society of Zimbabwe President Sternford Moyo and Executive Secretary Wilbert Mapombere were arrested and held by police for 48 hours. During their detention they were denied food, access to a toilet, and were given a lice-infested blanket. On June 4, police arrested and interrogated the entire staff of the Law Society for approximately 4 hours. The arrests stemmed from allegations that Moyo was involved in planning mass action to overthrow the Government with the opposition MDC and British High Commission. Due to a lack of evidence the Attorney General had not made a decision on whether to take the case to trial, but was scheduled to do so by the next hearing scheduled for February 2003.

On August 3, plainclothes police officers arrested M.P. and MDC treasurer Fletcher Dulini-Ncube for the second time in connection with Nkala's death. Dulini-Ncube, a severe diabetic, was taken from a Bulawayo hospital where he was recuperating from having an eye surgically removed, and detained at a police station for 6 hours. Although Dulini-Ncube was allowed to return to the hospital later that day, the police accompanied him to the hospital and posted guards both inside and outside his room. On August 5, Dulini-Ncube was to be formally indicted in the Nkala murder case; however, the judge postponed the indictment hearing indefinitely for lack of evidence.

Following the August 8 deadline for commercial farmers to vacate their properties, police arrested and detained hundreds of farmers, or in their absence, their family members, most for a few days, for refusing to vacate their properties. After posting bail, all of them reportedly were released (see Section 1.f.).

On September 13, retired Judge Fergus Blackie was arrested on trivial charges, detained largely incommunicado,

and not permitted his required medication for 4 days. Before he was pressured into retiring in July, Blackie sentenced Justice Minister Patrick Chinamasa to a 3-month jail sentence for contempt of court. The U.N. Special Rapporteur on the Judiciary criticized publicly the Government's treatment of Blackie. At year's end, Blackie's son William was organizing an international effort to get the charges against his father dropped.

On September 29, the MDC M.P. for Chimanimani, Roy Bennett was arrested and detained for 2 days without access to his attorney along with bodyguard Menson Magwaza and business partner Stuart Girvin. They were charged with violating the Electoral Act for video taping food distribution to ZANU-PF supporters at a polling station during the rural district council elections. Magwaza reportedly was tortured and Girvin beaten while in police custody. Bennett and Magwaza were released on bail of \$6.25(Z10,000). Girvin, who is South African, was released on bail of \$12.50 (Z\$20,000).

Police arrested several journalists during the year (see Section 2.a.).

Police arrested persons holding meetings and during the forcible dispersal of gatherings (see Section 2.b.).

Police arrested religious leaders during the year (see Section 2.c.).

No action was taken, nor was any likely to be taken, in the following 2001 cases: The July arrest and beating of Richard Jachi and his wife by police officers in Harare's Budiriro township; the July police raid of an MDC office and their arrest of 33 youths who police claimed were responsible for attacks on ZANU-PF supporters in Bindura; the July arrest and release by police of three journalists for reportedly photographing the police beating of workers who were participating in a 2-day national strike; the July arrest, questioning, then release of Wellington Chibembe, the Zimbabwe Confederation of Trade Unions' (ZCTU) Secretary General; and the August arrest then release on bail of a number of white farmers and their relatives.

No action was taken, nor was any likely to be taken, in the 2001 cases of protesters arrested and charged with violence under the LOMA.

No action was taken, nor was any likely to be taken, in the 2000 cases of police detaining 70 persons during food riots, and police arresting 20 MDC supporters preparing for an MDC rally.

The Constitution prohibits forced exile, and the Government did not use forced exile; however, a number of persons left the country to escape repression and remained in self-imposed exile at year's end. For example, Nkosana Moyo, former Minister of Industry and International Trade and his family remained outside the country at year's end.

On March 12, Captain Ernest Chuma disappeared from army headquarters in Harare after an interrogation by members of the army's counter-intelligence branch. He was accused of being an MDC supporter. Fearing for his safety, Chuma fled the facility and went into hiding. He had retained a lawyer to contest the army's allegations; however, legal proceedings could not proceed because his whereabouts were unknown. At year's end, he was being detained without charge at the Francistown State Prison in Botswana.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and since independence the country's judiciary generally had been independent. However, beginning in 2001 the judiciary came under intense pressure to conform to government policies, and the Government repeatedly refused to abide by judicial decisions. In a July 25 speech, President Mugabe said, "if judges are not objective, don't blame us when we defy them." In addition numerous government officials, including the Justice Minister and the Minister for Information and Publicity, repeatedly called for the resignation of justices whose rulings were not consistent with the policies of the executive branch, and officials criticized the judiciary for these rulings. In 2001 the Chief Justice was coerced into retiring early, and during the year, a number of High Court judges resigned or retired early after being subjected to intensive government pressure and intimidation. In 2001 the International Bar Association conducted an investigative visit to the country and criticized the intimidation of judges and the forced retirement of the Chief Justice in its report.

The law provides for a unitary court system, consisting of headmen's courts, chiefs' courts, magistrates' courts, the High Court, and the Supreme Court. Civil and customary law cases may be heard at all levels of the judiciary, including the Supreme Court.

Judges are appointed to serve until the age of 65 and may extend their terms until the age of 70 if they remain in good physical and mental health. The Constitution provides that they may be removed from the bench only for gross misconduct, and that they cannot be discharged or transferred for political reasons; however, during the year, judges were coerced by the Government into resigning. For example, in July High Court Judge Fergus Blackie retired early (see Section 1.d.).

In 2001 President Mugabe appointed three additional Supreme Court judges, bringing the total number to eight. The Government stated that the additional appointments were necessary to handle an increase in workload; however, some members of the legal community criticized the action as an attempt by Mugabe to pack the court. Magistrates, who are part of the civil service rather than the judiciary, hear the vast majority of cases and came under increasing political pressure during the year after some of their decisions were interpreted as running counter to government interests.

For example, on August 16, a mob of 150 to 200 ZANU-PF militants and war veterans dragged Walter Chikwanha, a presiding magistrate, out of his Chipinge courtroom and beat him. They then paraded him around Chipinge forcing him to chant ZANU-PF slogans. This happened after Chikwanha granted bail to five MDC officials accused of burning two government tractors in Chipinge.

On August 28, the Zaka district resident magistrate, Godfrey Gwaka, was stabbed in the chest and back while in the company of another court official. The court official identified one of the two assailants, whom police arrested. During and after the March election period, Gwaka had heard cases involving political violence and five deaths in Zaka. Observers intimated that Gwaka was attacked for his remarks and judgments in favor of MDC supporters in those cases.

Military courts dealt with disciplinary or court-martial proceedings. Police courts, which can sentence a police officer to confinement in a camp or demotion, handle disciplinary and misconduct cases. Trials in both these latter courts generally met internationally accepted standards for fair trials. Defendants in these courts have the right to appeal to the Supreme Court.

The Constitution provides for the right to a fair trial, but the judiciary had difficulty enforcing this right due to political pressures. Every defendant has the right to a lawyer of his choosing; however, well over 90 percent of defendants in magistrates' courts did not have legal representation. In criminal cases, an indigent defendant may apply to have the Government provide an attorney, but this was done rarely and granted rarely. However, in capital cases, the Government provided an attorney for all defendants unable to afford one. Litigants in civil cases can request legal assistance from the NGO Legal Resources Foundation. All litigants were represented in the High Court. The Supreme Court has instructed magistrates to ensure that unrepresented defendants fully understood their rights and to weigh any mitigating circumstances in criminal cases, whether or not the accused presented them as part of his defense.

The right to appeal exists in all cases and is automatic in cases in which the death penalty is imposed. Trials were open to the public except in certain security cases. Defendants enjoyed a presumption of innocence, the right to present witnesses, and the right to question witnesses against them. Defendants and their attorneys generally had access to government-held evidence relevant to their cases. The legal system generally did not discriminate against women or minorities; however, some High Court judges imposed lenient sentences in some cases of rape and child sexual abuse, and local women's and legal organizations challenged these decisions.

Members of the ruling party and the Government increasingly were dissatisfied with the judiciary when judgments were not to their liking. In 2001 the Supreme Court overturned as unconstitutional President Mugabe's decree prohibiting the nullification of the election of any M.P. The ruling allowed the High Court to hear challenges to the results in 38 constituencies--all but 2 of them submitted by the MDC--in the 2000 parliamentary elections (see Section 3).

The Government and police routinely failed to abide by court decisions ordering the removal of war veterans and other squatters residing on commercial farms, and the Government routinely continued to delay payment of court costs or judgments awarded against it.

Prior to 2000, the Government repeatedly amended the Constitution in response to judicial decisions that were protective of human rights. Amendments to the Constitution were not ratified by the public but were subject only to the ZANU-PF-dominated Parliament's approval. Constitutional amendments require a two-thirds majority vote, a margin ZANU-PF has been unable to muster since the MDC won 57 of 150 Parliamentary seats in 2000.

In October 2000, President Mugabe issued a presidential decree granting a general amnesty for politically motivated crimes that occurred between January 1 and July 31, 2000. The pardon excluded the offenses of murder, robbery, rape, sexual assault, theft, and possession of arms, but did not exclude the charges of common assault and assault with the intent to commit grievous bodily harm. The pardon permitted the immediate release of prisoners convicted of the latter two offenses. The amnesty protected nearly all the agents of the political violence campaign that preceded the 2000 parliamentary elections and effectively prevented any criminal prosecutions against them. Domestic and international human rights groups criticized widely the amnesty. Amnesty International expressed concern that it would encourage further violence in the run-up to the March presidential elections.

There were a few reports of MDC political prisoners held for sustained periods of a month or more by CIO agents or war veterans in unofficial locations. Police frequently detained opposition leaders and supporters for several days at a time (see Sections 1.a., 1.c., and 1.d.).

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions; however, security forces searched homes and offices without warrants, and the Government was believed to monitor some private correspondence and telephones, particularly international communications. The law permits the Government to monitor and intercept e-mails entering and leaving the country, and security services reportedly have used this authority to monitor e-mail communication, although the extent of this monitoring was unknown.

On August 4, approximately 10 armed policemen raided MDC President Morgan Tsvangirai's home searching for "arms of war, illegal immigrants, and subversive materials." Although the police did not find any of the items listed on the search warrant, they did confiscate a car that belonged to Tsvangirai's assistant. Police claimed the car was being used in illegal activities.

Police periodically conducted house-to-house searches in the suburbs of Harare and Bulawayo during the year.

ZANU-PF supporters and war veterans attacked and destroyed the homes of hundreds of opposition supporters and commercial farmers. For example, on January 5, government militia stoned several houses in Chitungwiza and Ruwa, including those of MDC legislators Fidelis Mhashu and B. Tumbare-Mutasa, destroying property worth approximately \$560 (Z\$400,000). On January 20, police used tear gas in the Mpopoma home of MDC M.P., Milton Gwetu.

On April 22, approximately 50 ZANU-PF youth set fire to MDC ward chairman for Redcliff George Hungwe's house, destroying \$7,092 (Z\$5 million) worth of property. Prior to setting the fire, the perpetrators forced Hungwe and his family into one bedroom. The Hungwes then fled through a window as flames engulfed their house. The police claimed that an investigation was ongoing, and no one was charged in connection with the arson attack by year's end.

No action was taken against hundreds of ZANU-PF supporters who in 2001 embarked on a campaign of looting and burning farmhouses, destroying crops, livestock, and farming equipment, and forced 60 farmers and their families--approximately 300 persons--to flee the area. Many farm workers who refused to assist the looters were beaten. There were credible reports of police involvement in the looting.

The Government continued to claim that white farmers occupied more than 70 percent of the country's most productive land. The Commercial Farmers Union disputed that figure, contending that members of the white minority owned only 20 percent of the country's farmland, while the remainder comprised communal land (government-owned), small-scale farms, national parks, forest lands, and urban lands.

Shortly after a 2000 referendum defeated a proposed constitution that would have permitted land seizures, Parliament passed a constitutional amendment permitting the seizure of land without compensation. In 2000 President Mugabe, using extraordinary presidential powers, amended the 1992 Land Act to bring it into conformity with this amendment. After the 2000 elections, the Government began a "fast-track" resettlement program in an ostensible effort to settle historical inequities in land ownership quickly. All or portions of 1,250 commercial farms were occupied by war veterans, ZANU-PF supporters, and other squatters who built homes and planted crops on the land. Intimidation and work stoppages occurred daily for commercial farmers and farm workers. In 2001 a newly-reconstituted Supreme Court reversed a 2000 decision that the land occupations violated constitutional private property rights and protection from arbitrary search and entry, ruling that the fast-track program was being conducted consistent with the law (see Section 1.e.).

In 2001 President Mugabe amended the Land Act by decree to permit the immediate government seizure of all commercial farming land, and the ZANU-PF dominated Parliament formalized this decree. The law requires all farm owners who have received a Section 8, final compulsory acquisition, notice to halt farming activities within 45 days of receipt of the order and leave their homes within 90 days. By August approximately 97 percent of the 4,500 remaining commercial farmers had received Section 8 notices.

In June the Government ordered all white commercial farmers who had received Section 8 notices to cease farming operations, despite widespread food shortages. In August the Government began arresting farmers en masse after the time period expired for the first batch of Section 8 notices. Most farmers who were arrested were detained for a few days and released on bail; some were allowed to return to their farms, and some ordered to abandon their standing crops and livestock. Many farmers filed legal challenges, arguing that the acquisition orders were not legitimate since they did not follow the Government's own procedural laws. In many cases, the Government had not followed the procedural step of having the Administrative Court sign an eviction order; in others the Government had failed to notify banks or other bondholders who had an interest in the properties. Some farmers had limited success arguing in court that eviction notices were invalid because they were not served on all interested parties of a property, i.e. the bank or mortgage holder, the bondholder, and the farmer. In practice they were often served on the farmer alone. In September Parliament legislated that procedurally irregular Section 8 orders could be reissued without starting a new 90-day evacuation period. In addition, Section 8 orders that expired due to technical irregularities or failure of the Government to acquire the property within its own statutory time limit could be reissued with only a 7-day evacuation period. In that legislation, the fine for farmers who failed to vacate their property within the 90-day (or new 7-day) period increased 5-fold.

By November war veterans had intimidated thousands of ex-commercial farm workers into moving off of their original farms and into other areas of the country. Hundreds had relocated themselves and their families to the soil-poor Dande area in northern Zimbabwe and even across the border into the neighboring Tete Province of Mozambique.

Even on farms that did not receive Section 8 orders or those that received reprieves from the High Court, farmers were evicted with as little as 2 hours notice. "Settlers," war veterans, or government youth militia members enforced evictions often in full view of police who declined to intervene stating that it was a "political matter." Estimates were that more than 500,000 farm laborers, and their families were left destitute.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of expression but legislation limits this freedom in the "interest of defense, public safety, public order, state economic interests, public morality, and public health," and the Government restricted this right in practice. Police and ZANU-PF supporters harassed, intimidated, and beat journalists. Security forces arbitrarily detained journalists and refused to investigate or punish security force members who tortured journalists and opposition members. Journalists practiced self-censorship.

The Government continued to restrict freedom of speech, particularly by opposition members and supporters and those making public comments critical of President Mugabe. For example, on July 25, MDC President Morgan Tsvangirai was asked to present himself at the Harare Central Police station on allegations of plotting to overthrow President Mugabe. Tsvangirai, who at the time was on bail for allegedly plotting to assassinate Mugabe, was asked to sign a warned and cautioned statement. He was alleged to have contravened Section 5 of POSA, which refers to planning the overthrow of government, by allegedly telling persons at a rally in Gwanda that "what the MDC had planned for Mugabe shall remain a secret." Tsvangirai was not charged formally.

In a number of rural areas, war veterans and other ZANU-PF supporters conducted pungwes, in which they forced villagers to chant ZANU-PF slogans or denounce the opposition (see Sections 1.c. and 6.a.).

Several major daily newspapers and one local-language tabloid belonged to the Mass Media Trust (MMT), a holding company heavily influenced by the ZANU-PF. The Government, through the MMT, controlled two daily newspapers, The Chronicle and The Herald. The news coverage in these newspapers generally focused on the activities of government officials, neglected opposition parties and other antigovernment groups, and also downplayed events or information that reflected adversely on the Government. The government-controlled media always portrayed favorably President Mugabe and the Government. In 2001 Jonathan Moyo, Minister for Information and Publicity in the President's Office, announced the dissolution of the MMT board and its replacement by a new board, which reportedly was more sympathetic to ZANU-PF. The Minister also controlled the

Zimbabwe Inter-Africa News Agency wire service.

The independent press continued to operate despite frequent attacks and intense pressure from the Government. In addition to the Daily News, an independent newspaper that had the nation's largest circulation, there were three major weeklies (The Financial Gazette, The Independent, and The Standard), and three monthlies. The major independent newspapers continued to monitor government policies and open their pages to opposition critics, but most of them also continued to exercise self-censorship in reporting due to growing government intimidation of the press and the continuing prospect of prosecution under criminal libel and security laws.

The Government increasingly was intolerant, especially of reports perceived to be critical of the security forces. The Government tolerated private media criticism of official corruption; however, corruption was not a major focus of the private media during the year. The Government arrested and prosecuted editors and journalists who contributed to published stories critical of government policies or security force operations; however, the Government did not censor directly the independent media.

Stricter measures, including the passage of two restrictive new laws, were introduced to prevent negative coverage of the Government and its policies. On January 22, the POSA was enacted to replace the colonial-era LOMA. Clause 15 of POSA, intended to replace section 50 of LOMA, makes it an offense to publish or communicate false statements prejudicial to the state. Legal experts have criticized this section saying that it imposes limits on freedom of expression beyond those permitted by the Constitution. Clause 16 of POSA also makes it an offense to make statements that will engender feelings of hostility towards the President. An extremely broad Official Secrets Act makes it a crime to divulge any information acquired in the course of official duties. In addition, antidefamation laws criminalize libel of both public and private persons.

In March the Parliament enacted the Access to Information and Protection of Privacy Act (AIPPA), which was criticized strongly by journalists, media analysts, and human rights organizations. Section 80 of AIPPA requires journalists to apply for accreditation from the Media and Information Commission, the members of which were appointed by the highly partisan Minister of Information and Publicity. Section 81 of this Act also makes it an offense for journalists to submit a story that already was published by another mass media service without the permission of the owner of that service. Journalists also were prohibited from falsifying or fabricating information, publishing rumors or falsehoods, and collecting and disseminating information for another person without the permission of their employer. On November 21, a trial challenging provisions of the AIPPA began and was pending at year's end.

During the year, the Government used these acts to harass and intimidate many persons, including journalists, human rights activists, and opposition members. For example, on March 27, members of the CIO arrested and detained overnight Peta Thornycroft, the Zimbabwean correspondent for Britain's Daily Telegraph and for South Africa's Mail and Guardian, in Chimanimani while she was investigating reports of post-election violence and of a campaign of retribution against the MDC. Her legal counsel was denied access to her and only was allowed to see her after she was transferred to a Mutare police station. She was detained in Mutare for 3 more nights and was released on March 31 only after a High Court ordered her release. The police seized her documents, her camera, and her automobile during the detention. Her attorney described her charges as a "fishing expedition" by the state. Thornycroft initially was charged under POSA for "publishing a false statement likely to be prejudicial to the state" but later was charged under section 83 of the newly enacted AIPPA, for "posing as a journalist" since she had not registered with the Media Commission. The Attorney General's office declined to prosecute, and Thornycroft was challenging the constitutionality of the charges against her at year's end.

On April 30, police arrested and detained two Daily News reporters, Lloyd Mudiwa and Collin Chiwanza, for publishing a story alleging that suspected ZANU-PF supporters had beheaded a woman in Magunje. The story turned out to be false. Chiwanza and Mudiwa were detained for 2 nights at Harare Central Police station. On May 1, the correspondent for the British Guardian, Andrew Meldrum, was arrested and detained overnight at his home in Harare for duplicating the story, and on May 20, the editor-in-chief of the Daily News, Geoff Nyarota was arrested in connection with the same story. All four journalists were charged under Section 80 of the AIPPA for abusing journalistic privilege. Meldrum became the first journalist to be tried under the AIPPA. On July 15, he was acquitted by a Harare magistrate, but was served with deportation papers, which required that he leave the country within 24 hours. Meldrum was given an extension by the High Court, and Meldrum was challenging the constitutionality in the Supreme Court of the deportation order since he has been a resident in the country for 22 years. At year's end, Meldrum remained in the country pending the hearing of his case. Nyarota and Mudiwa were challenging the constitutionality of their charges, and their cases were pending before the Supreme Court at year's end.

During the year, particularly in the presidential election period, war veterans and other ZANU-PF supporters

harassed, intimidated, and abused journalists considered to be sympathetic to the opposition. For example, in February war veterans and government youth brigades regularly threatened the Daily News Masvingo bureau chief and reporters, and at least once burned a Daily News delivery truck. In March ZANU-PF youth and war veterans frequently intimidated and assaulted the vendors of independent newspapers in Bindura, Masvingo, Kariba, and Karoi, and on numerous occasions, destroyed their sale copies of The Daily News, Financial Gazette, Zimbabwe Independent, and The Standard.

There were no developments during the year in the trials under the LOMA of MDC M.P. Peter Nyoni or Dirk Wouter du Ploy.

In January 2001, an explosion destroyed the printing press facility of the Daily News. The Daily News continued to operate using a combination of private and government-owned printers before replacing its presses in September. There was a police investigation, but no arrests were made by year's end, despite the fact that police were given the registration number of the vehicle seen at the sight. Most observers believe that the Government or ruling party was responsible due to the professional nature of the operation.

There were no new developments in the following 2001 cases: The July police arrest of three journalists reportedly for photographing the police beating of workers who were participating in a 2-day national strike; the August police arrest in the Chinoyi area of two journalists from the weekly newspaper The Sunday Mirror who they charged with "publishing subversive statements;" the August arrest of three editors, including Geoff Nyarota, the editor-in-chief of the Daily News for criminal defamation; the September police arrest and detention of two journalists during a mayoral election in Bulawayo; and the December police arrest of two Daily News reporters in Bulawayo in connection with the killing of Cain Nkala.

There were no new developments in the following 2001 cases: The January raid on the Harare offices of the Daily News by war veterans and other ZANU-PF supporters during which they harassed and assaulted Daily News reporters, staff, and passers-by; the May beating by ZANU-PF supporters of a Daily News reporter after he attempted to report on a political meeting in Gweru; the August beating with wooden clubs by ruling party supporters of Daily News reporter Mduduzi Mathuthu (Mathuthu resigned from the Daily News and since has left the country); the September severe beating with chains and other weapons by war veterans and land occupiers of three journalists and one driver from the Daily News; and the December attack on the Daily News office in Harare by ZANU-PF supporters during which they beat a photographer who was trying to film the attack.

There were no developments in the following 2000 cases: The detention and harassment of a Daily News Journalist; the detention and assault of Chengetai Zvauya; the attack on journalists during a peace march; and the beating and abduction of a journalist for the Independent, a foreign journalist, and her cameraman in Mutoko district.

Radio remained the most important medium of public communication, especially for the majority of the population living in rural areas. The Government continued to control all domestic radio broadcasting stations through the state-owned Zimbabwe Broadcasting Corporation (ZBC), supervised by the Minister for Information and Publicity in the President's Office. There were credible reports that the Minister routinely reviewed ZBC news and repeatedly excised reports on the activities of groups and organizations opposed to or critical of the Government, including antigovernment demonstrations and the ZCTU. It was unclear how many Zimbabweans could actually listen to short wave broadcasts, however, by January there were three independent radio stations--two of which broadcast only on short wave for a few hours daily--Radio Dialogue-FM, Short Wave Radio-Africa, and Voice of the People (VOP) Radio. Short Wave Radio-Africa broadcast from the United Kingdom; Voice of the People broadcast from the Netherlands via transmitter in Madagascar. Radio Dialogue-FM produced prerecorded tapes for distribution in the community, but did not transmit over the airwaves.

On July 4, the police raided the offices of the VOP and searched for a transmitter and other broadcasting equipment. They confiscated 133 tapes and files, and the VOP trust deed also disappeared in the search. After questioning Trustees of the VOP, the police returned the trust document and all other tapes seized. On August 4, three armed men bombed the VOP offices shortly after midnight, completely destroying the premises and all equipment and documents. No arrests were made by year's end.

In 2001 the Broadcasting Services Bill became law, despite the fact that Parliament's legal committee found the bill to be unconstitutional. Section 47 of the Act gives the Act retroactive effect to October 4, 2000, the day police shut down the private radio station Capital Radio. The Broadcasting Services Act allows for one independent radio broadcaster and one independent television broadcaster but requires them to broadcast with a government-controlled signal carrier. Under the Act, the Minister of Information remains the final authority in issuing and

revoking broadcasting licenses. Legal rights groups criticized the Act for restricting broadcasting employees to citizens who are resident in country; requiring 80 percent locally produced content; setting aside free airtime for the Government to "explain its policies;" and establishing a journalistic code of conduct that potentially limits free speech.

On June 19, Capitol Radio challenged the legality of the Broadcasting Services Act in the Supreme Court and argued that it was unconstitutional to place broadcasting authority under the control of the Minister of Information and Publicity. It also argued that the Broadcasting Services Act was developed in such a way that it ensured "the greatest difficulties were put in the way of anyone wishing to obtain a broadcasting license." The Supreme Court reserved judgment in the case, and there was no decision by year's end.

The Government controlled all domestic television broadcasting stations. The ZBC owned and operated television broadcasting facilities. During the year, ZBC appeared to lose its credibility and audience, as fewer international programs were carried and regular broadcasts of CNN were discontinued. Call-in talk shows, which carried phone calls from viewers critical of the Government, were cancelled. Prior to the presidential elections and continuing to year's end, ruling party music videos were aired throughout the day promoting the fast-track land redistribution program. The Government's key slogan highlighted in these videos, "Chave Chimurenga" or "the liberation war has begun" hinted at violence. Due to financial constraints, 60 percent of the ZBC staff members were fired, and some new employees, loyal to the ruling party, were appointed to senior positions.

Joy Television (Joy TV) was the only privately licensed television station; however, President Mugabe's nephew, Leo Mugabe, reportedly had financial ties to it, and the ZBC reportedly exercised some editorial control over Joy TV's programming. Joy TV was restricted to broadcasting on an available channel that was leased from the ZBC because the Broadcasting Act restricts the creation of an independent transmission facility. Joy TV reportedly came under pressure to cease regular, unedited BBC broadcasts, and the principal shareholder, James Makamba, lost favor with the Government when he launched a political talk show that included prominent opposition politicians such as MDC President Morgan Tsvangirai. After May 31, Joy TV was not allowed to broadcast. Despite public appeals and pressure from war veterans who were reported to hold shares in the company, the Government refused to continue leasing broadcast time to Joy TV.

International television broadcasts were available freely through private satellite firms, although the requirement that payment must be made exclusively in foreign currency made it unavailable for most citizens.

The Media and Information Commission imposed more stringent restrictions on both local and foreign journalists. One of the clauses of the new media law prohibited foreign correspondents from applying for greater than 30-day accreditation. The Commission declared October 31 as the deadline for the submission of applications for the registration of media companies and accreditation of journalists. The Chairperson for the Commission, Dr Tafataona Mahoso, announced that the Commission intended to have all journalists registered before December 31. Many journalists applied for accreditation. Some received letters from the Commission requiring them to pay the application fees in U.S. dollars, and provide proof of their qualifications and examples of their work. With the advice of their attorneys, the journalists refused both requests. The Government had not made final decisions about whom to register by year's end. In accordance with AIPPA, mass media companies must pay an application fee of approximately \$625 (Z\$500,000). Journalists must pay \$1.25 (Z\$1,000) for application and accreditation respectively. Freelance journalists must pay \$0.63 (Z\$500) and \$3.13 (Z\$2,500). Foreign journalists were supposed to pay \$50 (Z\$40,000) and \$100 (Z\$80,000) for application and registration. Foreign media companies have to pay \$2,000 (Z\$1,600,600) and \$10,000 (Z\$8,000,000).

The Government denied entry to journalists, including journalists who were citizens, who it perceived to be portraying the country negatively. On June 12, Florence Machio, a Kenyan journalist, was detained at the Harare International Airport for failing to receive advance clearance from the Minister of State for Information and Publicity and was given until June 14 to leave the country. On September 14, Griffin Shea, correspondent for Agence France Presse, was forced to leave the country after the Government refused to renew his work permit. Shea had been working in the country for 2 years. Information Minister Moyo later said that no foreigner should be resident in the country as a journalist.

Books and films were subject to review by the Zimbabwe Board of Censors. The Board banned at least 10 films in recent years.

The Government did not restrict access to the Internet. During the year, there were many privately owned domestic Internet service providers (ISP's). However, the law permits the Government to monitor all international e-mail messages entering and leaving the country (see Section 1.f.). The arrests of journalist Andrew Meldrum and

human rights activist Frances Lovemore were because of articles published on the Internet.

The Government restricted academic freedom. The University of Zimbabwe (UZ) Amendment Act and the National Council for Higher Education Act restricted the independence of universities, making them subject to government influence, and extends the disciplinary powers of the university authorities against staff and students. The Ministry of Higher Education and Technology controlled the UZ and appointed its Chancellor and Vice Chancellors; the Ministry also appoints the Dean of Faculty, and most members of the University Council. During the year, a number of students were brought before a disciplinary committee for allegedly being MDC members, and faculty members reportedly were denied promotions allegedly for supporting the MDC.

Unlike in the previous year, police did not disperse forcibly students during protests at the UZ.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of assembly; however, the Government restricted this right in practice through laws such as the new POSA. Legal experts believed that the restrictions imposed by POSA on an individual's right to freedom of assembly were unconstitutional. The police repeatedly used force to break up nonviolent demonstrations by its critics and erect roadblocks in urban areas to prevent public gatherings from taking place. Although permits were not required for meetings or processions, the POSA requires organizers to notify the police of their intentions to hold a public gathering 7 days in advance. Failure to do so would result in criminal prosecution as well as civil liability. Although most groups that conducted marches did not seek permits, some groups informed the police of their planned demonstrations. Police insisted that their permission was required to hold public gatherings, and they disrupted many events for which permission had not been sought.

Under the POSA, the Government asserted the right to have police members present at certain labor union meetings, claiming that they were "public meetings" banned under the Act. During the year, this was challenged and police no longer were required to attend (see Section 6.a.).

Police refused to permit numerous campaign rallies and meetings by the MDC in the period preceding the March presidential election and September rural council elections.

On February 15, police arrested 14 members of the National Constitutional Assembly (NCA) together with the MDC M.P. for Highfield Munyaradzi Gwisai who had marched in support of a new constitution and to demand a free and fair presidential election. The 15 men claimed that the police assaulted them and mistreated them, and Gwisai challenged the constitutionality of his arrest in the Supreme Court. The case had not been heard at year's end.

On April 3, police arrested 344 members of the Young Women's Christian Association in Harare during a planned meeting for a peaceful march to protest the results of the presidential election. Some women were detained for 3 nights with their babies, before being released on \$0.63 (Z\$500) bail.

On June 16, police assaulted and arrested approximately 70 MDC supporters and 3 independent journalists at the MDC's International Youth Day rally in Harare. Although the MDC obtained permission to hold the gathering in their Harare Provincial office, on the day of the event riot police dispersed the gathering and charged the participants with violation of the POSA. The MDC supporters claimed that the police assaulted them both prior to their arrest, and after they were detained at the Harare Central Police Station.

On July 25, MDC M.P. Austin Mupandawana and other senior members of the Kadoma branch of the MDC, were arrested following clashes between ZANU-PF youth and MDC supporters at an MDC campaign rally in advance of the Kadoma mayoral election. Several persons were injured when the ZANU-PF youths, armed with stones and iron bars, attempted to forcefully disperse the gathering. Although riot police intervened to stop the fighting, they accused the MDC members of inciting violence and arrested Mupandawana and other top MDC members who attended the rally. At year's end, the MDC officials still were in detention pending trial.

There was no action taken against police who used excessive force to disperse a number of demonstrations or rallies in 2001.

No action was taken, nor is any likely to be taken, against the members of the security forces who used excessive force to disperse demonstrations or rallies on the following dates in 2000: May 7; May 13; June 28; in July; October 9; October 12; and October 16 to 18.

No action reportedly was taken against the war veterans and riot police who violently disrupted a peace march in central Harare organized by the NCA in 2000.

The Constitution provides for freedom of association for political and nonpolitical organizations, including a broad spectrum of economic, social, and professional groups, and the Government generally respected this right in practice. However, ZANU-PF supporters, supplied with government vehicles and money, killed, tortured, beat, and otherwise abused persons perceived to be political opponents (see Sections 1.a., 1.c., 1.d., and 1.f.).

The formation of unions and political parties was not restricted.

Organizations generally were free of governmental interference as long as their activities were viewed as nonpolitical.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, a law that criminalizes both purporting to practice witchcraft and accusing persons of practicing witchcraft reportedly was viewed as restrictive by some practitioners of indigenous religions.

The Government and government supporters targeted some clergymen because they strongly criticized the state-sanctioned, politically motivated crimes and violence during the period prior to the 2000 parliamentary elections and the March presidential election and urged the Government to restore peace in the country. Church leaders and members who criticized the Government faced arrest and deportation. On February 16, police arrested Father Kevin O'Doherty and eight others participating in a prayer procession to police headquarters in Bulawayo. They were charged with contravening the POSA, but the charges later were dropped.

In February ZANU-PF supporters beat three Catholic priests, two Catholic nuns, and a Catholic brother in Zaka after they met with foreign officials. The perpetrators said the fact that the religious figures had met with foreign diplomats suggested they were opposition supporters. Local ruling party officials later apologized to the victims; however, the perpetrators were not charged with any crime.

The Government does not require religious institutions to be registered; however, religious organizations that run schools or medical facilities must register those specific institutions with the appropriate ministry involved in regulating those areas.

Witchcraft--widely understood to encompass attempts to harm others not only by magic but also by covert means of established efficacy such as poisons--traditionally has been a common explanation for diseases of which the causes were unknown. Although traditional indigenous religions generally included or accommodated belief in the efficacy of witchcraft, they generally approved of harmful witchcraft only for defensive or retaliatory purposes and purported to offer protection against it.

The Witchcraft Suppression Act (WSA) criminalizes purporting to practice witchcraft, accusing persons of practicing witchcraft, hunting witches, and soliciting persons to name witches; penalties include imprisonment for up to 7 years. The law defines witchcraft as "the use of charms and any other means or devices adopted in the practice of sorcery," and provides punishments for intending to cause disease or injury to any person or animal through the use of witchcraft. Human rights groups also generally supported the existing WSA, which has been used particularly to protect persons, primarily women, who have been accused falsely of causing harm to persons or crops in rural areas where traditional religious practices were strong.

There was some tension between the Government and some of the indigenous African churches, and between mainstream Christian churches and practitioners of traditional indigenous religions, because of the latter's preference for prayer over medical practices that resulted in the reduction of avoidable childhood diseases and deaths. Some members of the indigenous churches believed in healing through prayer only and refused to have their children vaccinated or treated. The Ministry of Health has had limited success in vaccinating children in these religious communities against communicable childhood diseases. Human rights activists also criticized these indigenous churches for their sanctioning of marriages for underage girls.

President Mugabe has expressed skepticism about the increasing membership in evangelical and indigenous churches and has indicated that he believed they could be subversive.

There were generally amicable relations among the various religious communities. Catholic Church officials said they welcome interfaith dialog with Muslims but believed some of the evangelical churches were hostile to Islam.

Muslims complained of discrimination by private employers who refuse to allow them sufficient time to worship at their mosques on Fridays.

Unlike in the previous year, there were no reports of ritual murders associated with traditional religious practices, and the Government actively enforced the law against ritual murders. However, Gordon Chavanduka, chairman of ZINATHA, the national association of traditional healers, reportedly stated in 2001 that black-market demand for human body parts used in making potions has increased greatly in recent years. Some observers suggested that this development might be associated with the spread of HIV/AIDS in the country and the lack of affordable science-based medicines for treating infected persons. Unlike in previous years, there were no reports that persons killed children for body parts for use in healing rituals associated with traditional religions.

For a more detailed discussion see the 2002 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government at times restricted them in practice.

During the year, police routinely erected armed roadblocks in and around cities and rural districts during the post- and pre-election periods. Police claimed that they were looking for criminals and illegal weapons, but legal rights groups asserted that it was a measure designed to discourage or limit opposition campaigning in the electoral areas. Police used the POSA to erect roadblocks in urban areas to prevent public gatherings from taking place.

On November 8, government-owned media reported that the Government imposed travel bans and visa requirements on a variety of persons. Among those affected were British government officials, members of the British Parliament, an American human rights activist, and journalists. Several of the journalists reportedly banned from entering the country were Zimbabwean citizens. The Government expelled foreign journalists it perceived to be portraying the country negatively (see Section 2.a.). Foreign correspondents were denied visas during the year.

In 2001 the Minister of Information and Publicity threatened that the Government would revoke the passports of citizens who it viewed as traveling overseas to promote sanctions or other interests allegedly harmful to the country. During the year, the Government seized the passports of four of the MDC's top leaders: President Morgan Tsvangirai, Secretary-General Welshman Ncube, Treasurer Fletcher Dulini-Ncube, and shadow agricultural minister and M.P. Renson Gasela.

The Zimbabwe Citizenship Act, amended in 2001, requires all citizens with a claim to dual citizenship to renounce their claim to foreign citizenship under the laws of the foreign country in order to retain their citizenship. According to the act, citizens who failed to abide by the regulations by January 7 would cease to be citizens, would be removed from the voter rolls, and would be unable to vote. The revised act also revokes the citizenship of persons who fail to return to the country in any 5-year period. Legal rights groups described the legislation and regulations as a government attempt to disenfranchise citizens, because of their perceived opposition leanings, as well as the country's more than 500,000 commercial farm workers, many of whom have origins in neighboring countries, and the approximately 30,000 mostly white dual nationals. Many persons with dual citizenship experienced difficulty complying with the regulations because many other countries do not provide procedures for repudiating citizenship.

On May 10, the High Court affirmed the Zimbabwean citizenship of Judith Todd, the daughter of Sir Reginald Garfield Todd, the former Prime Minister of Rhodesia. Registrar General Tobaiwa Mudede had refused to renew Todd's passport, declaring that her failure to renounce her claim to New Zealand citizenship had resulted in her losing her citizenship. The High Court Judge ruled that the Citizenship Act was not concerned with those persons who merely had entitlement to foreign citizenship and ordered that Todd's passport be renewed.

According to the local U.N Development Program chapter and other NGOs, up to 500,000 farm workers were internally displaced at year's end. The majority of internally displaced persons (IDPs) were women and children. Many IDPs were farmers and farm workers who were forced to flee with their families because of threats and assaults by war veterans and other ZANU-PF supporters (see Section 1.f.). Displaced farm workers reportedly were living by the roadside, in the bush, or on other farms, and some were arrested. In most cases, the ZANU-PF supporters were farm squatters who ordered the farm workers to leave so that they could plant their own crops on the property. Other IDPs were persons, often teachers and civil servants, suspected by local officials of supporting the opposition who government supporters forced to leave their homes.

According to the Amani Trust, approximately 70,000 MDC supporters were displaced internally during the year, an increase from the 10,000 who were displaced in 2000; however, the number of unreported cases likely was higher. Often war veterans in local government positions applied pressure on local chiefs to order the expulsions of certain individuals. Some IDPs relocated to live with relatives or friends in urban areas; however, many remained in rural areas without shelter or reliable sources of food. Since early 2000, the Government has condoned and even encouraged an environment of lawlessness that permits war veterans and other ruling party supporters to force opposition members and supporters from their homes without consequences for the perpetrators (see Section 1.f.). In most cases, police were not permitted to intervene expeditiously. The Government harassed IDPs living in NGO safe houses in the capital, and arrested workers and staff of humanitarian organizations attempting to house them at camps.

The law provides for the granting of asylum and refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government generally has cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government generally provided first asylum. According to UNHCR, about 100 asylum-seekers arrived each month and there were almost 11,000 refugees and 594 asylum seekers in the country at year's end. During the year, the Government denied first asylum to 38 persons. Asylum seekers from more than 20 countries were granted refugee status; the largest groups of refugees consisted of 4,525 Congolese (DRC), 2,819 Rwandans, and 880 Burundians.

The Director of operations of the Geneva-based International Catholic Migration Commission investigated allegations of rampant sexual abuse of female refugees at a camp it supervised. He interviewed 26 refugees and met with the UNHCR during his visit and found the allegations to be substantiated. The two perpetrators were suspended, and the police were notified.

Some employers reportedly took advantage of illegal refugees for inexpensive labor (see Section 6.e.).

There were no reports during the year of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Although citizens have the legal right to change their government democratically, in practice the political process continued to be tilted heavily in favor of President Mugabe and his ZANU-PF party, which have ruled continuously since independence in 1980. The Government amended laws, passed new legislation, and manipulated the electoral process effectively to disenfranchise voters during the year. On March 13, President Mugabe was declared the winner of a presidential election after a campaign in which violence and intimidation were used nationwide against MDC supporters, and in which the electoral rules were manipulated to favor overwhelmingly the ruling party. International observer missions from the Commonwealth, and the South African Development Community (SADC) parliamentary forum described the electoral process as fundamentally flawed while a large mission from the European Union (EU) withdrew before the election when the Government refused to accredit the delegation leader.

On April 8, James Majwabu-Moyo, a member of the 5-person Electoral Supervisory Commission (ESC), which was responsible for overseeing elections, resigned from the ESC citing differences with the ESC's Presidential Election Report, which described the election as "free and fair."

In April the MDC filed a lawsuit with the High Court calling for the nullification of the election results and a repeat of the election, claiming widespread violence against its supporters and numerous serious irregularities. In response, ZANU-PF claimed MDC President Tsvangirai lost because of an ineffective campaign and declining popularity. The case was scheduled to be heard in November but was postponed until February 2003.

During the year, the Government's GMB routinely and publicly denied handouts of maize meal to suspected MDC supporters and provided it only to ruling party supporters. In advance of the September rural council elections, ZANU-PF candidates were given maize meal to use in their campaign efforts. A common ZANU-PF tactic was to announce the distribution of food in the vicinity of, and at the precise time of, an MDC rally. Persons chose to attend the food distribution event but often were turned away empty-handed once the nearby MDC rally ended. In addition, GMB would only sell food to those who produced ZANU-PF membership cards, making it very difficult for known MDC supporters to purchase it.

In January Parliament passed the General Laws Amendment Act, which substantially amended the Electoral Act governing elections. The Act places new restrictions on local and international monitors and observers, gives the

progovernment Registrar General the authority to amend the voters roll at will and issue absentee ballot papers, and effectively prohibits placing political posters in public areas. The Act also mandates that only the ESC can conduct voter education or delegate that responsibility to organizations that were registered with it (see Section 4). Media and civil society groups criticized the Act widely.

The 16 constitutional amendments enacted since 1980 have increased greatly Mugabe's power relative to the legislature. Originally a Prime Minister elected by the Parliament, he has become a President directly elected by the population. Constitutional Amendment 9 authorizes the President to declare unilaterally a state of public emergency for a period of up to 14 days. Amendment 10 grants the President sole power to dissolve Parliament and to appoint or remove a vice president and any minister or deputy minister. Amendment 10 also allows the President to appoint 20 of the 150 M.P.s, including 12 nonconstituency M.P.s and 8 provincial governors who sit in Parliament. The President also exerts great influence on the process by which the country's chiefs (traditional rulers) select 10 of their number to sit as M.P.s. All 30 of these M.P.s have been consistent ZANU-PF members.

The legislature, which traditionally has been subordinate to the executive branch, has a viable opposition that called on the Government to be accountable and transparent. Parliamentary question time was used to force debate and disclosure. In October 2000, the MDC brought a motion to Parliament to impeach President Mugabe for violating the Constitution and for gross misconduct. In November 2000, the Speaker of Parliament appointed a special committee composed of eight ZANU-PF members and four MDC members to consider the charges outlined in the motion. Legal rights activists accused the Speaker of preventing the committee from meeting or holding hearings; the committee essentially was defunct by year's end.

General parliamentary elections were held in June 2000 amid widespread voter intimidation and violence by the Government and ZANU-PF supporters with reports of vote-rigging and other irregularities. Although the election day generally was peaceful, the process leading up to it was neither free nor fair. The MDC won 57 out of the 120 popularly elected seats. Thirty additional seats were reserved for presidential and tribal chief appointees, who were ZANU-PF supporters, which gave ZANU-PF a total of 92 seats; this total increased to 93 in 2001 after the ruling party won a parliamentary by-election for a seat previously held by the MDC.

In the period before the March presidential election and the 2000 parliamentary elections, the Government, backed by security forces, implemented a systematic campaign of intimidation and physical violence against opposition supporters (see Sections 1.a., 1.b., and 1.c.). In many districts, the campaign reportedly backfired, both during the year and in 2000, resulting in additional votes for the opposition, but in others voters stayed away from the polls due to fear of retribution. For example, there were reports that farm workers of non-Zimbabwean heritage were threatened with deportation if they voted against the ruling party.

In 2000 President Mugabe amended the Electoral Act to prohibit the nullification of the election of any M.P. after the MDC and ZANU-Ndonga opposition parties filed petitions with the High Court challenging the electoral results in 37 parliamentary constituencies. In 2001 the Supreme Court declared the President's decree unconstitutional, which allowed the High Court to hear parliamentary election challenges (see Section 1.e.). During the year, the High Court nullified the results in four constituencies, but upheld the results in four others. The respective parties appealed all eight cases to the Supreme Court, which had not heard the cases by year's end. Witnesses who testified in the cases were threatened or beaten. Police also frequently harassed individual MDC members after the both the elections during the year and in 2000 (see Sections 1.c. and 2.d.).

In 2000 Vice-President Msika announced that civil servants would not be permitted to act as election monitors in the parliamentary elections because they sympathized with the opposition. The civil service has been the Government's traditional source for domestic election monitors. The MDC accused the Government of replacing the civil servants with its own supporters. In 2000 the ESC challenged in the High Court sections of the amended Electoral Act that reduced ESC authority to accredit international electoral monitors; it was unlikely at year's end that the court would take any further action.

International election observers repeatedly were denied accreditation by the Government, and most were not accredited until the last few days before the 2000 election as a result of frequent changes in the accreditation rules by the Government. The Government continued to erect obstacles to international observers during the year.

Government and ruling party supporters used tactics of intimidation and violence, with the aid of security forces, to manipulate the electoral process in four districts holding parliamentary by-elections and three cities holding mayoral elections in 2001. ZANU-PF won four by-elections in 2001, a mayoral election, and virtually all the rural district council seats in the September election. The opposition MDC won two mayoral elections during the year and three in 2001. War veterans and security forces established base camps in Bikita West, Bindura, Makoni

West, and Chikomba from which they reportedly beat and intimidated opposition supporters (see Section 1.c.). The ZANU-PF issued new party identification cards in 2001, however, unlike in the previous year, there were no reports that war veterans targeted for abuse ZANU-PF members who were not carrying the new cards. Observers also expressed general concern about a number of weaknesses and irregularities in the electoral process, including the lack of an independent electoral commission to oversee elections; the absence of a monitoring mechanism for the voter registration process; the consistent failure of election authorities to make the voters roll and supplementary rolls available for public inspection far enough in advance of the election; and the lack of voter education.

There were institutional problems with the management and supervision of elections, and the ESC, the Elections Directorate, the Ministry of Justice, Legal and Parliamentary Affairs, and the Registrar-General's Office had overlapping mandates. Although the Ministry of Justice technically administered the Electoral Act, the Registrar General's Office fell under the Ministry of Home Affairs. With an insufficient budget and an overburdened staff seconded from the Ministry of Justice, the ESC lacked the independence, institutional capacity, and resources to oversee all of the country's polling stations. Commissioners also lacked authority to order the correction of irregularities. The voters' roll was computerized, but it contained a large number of redundancies and errors, including misspellings, multiple entries, and names of deceased persons. These irregularities were highlighted during the 2000 parliamentary elections when deceased persons were recorded as casting votes for the ruling party. International observers cited the need to establish an independent electoral commission. The Government invested immense powers in the presidency through the Electoral Act, which institutionalized gerrymandering and fraudulent voters' rolls. The Government invoked the act shortly before the 2000 elections to redraw constituent boundaries in its favor and raise bureaucratic barriers to voter registration. Although most election observers agreed that the voting process itself generally was peaceful, 15 percent of voters were prevented from voting on election day on technical grounds or due to incomplete or inaccurate voters' rolls. Electoral officers did not operate in a fully open and transparent manner.

In 2001 the MDC unsuccessfully challenged in the High Court the Government's requirement that all voters cast ballots in the March presidential election in the constituency where they were registered. In previous presidential elections, voters were allowed to vote anywhere in the country; however, in the March elections they could only vote in their registered constituency. Legal rights groups argued that the new requirement would disenfranchise voters who were unable to travel to their home constituencies. In December 2001, the High Court ordered the Registrar General to supply a copy of the entire voters' roll to the opposition for inspection. The list was delivered in January, but the MDC complained it was outdated by the time of the election. The Government continued registering voters in its areas of strongest support until just before the March election, even though the registration deadline had passed in late January. Although the Registrar General was required by law to provide a copy of the voters rolls used in the March presidential election, the MDC still was unable to obtain one by year's end.

During the year, the NCA, an umbrella organization comprising most of the country's important civil society groups, continued to press for consideration of a new constitution that would reduce the power of the presidency and offer greater protection for civil liberties. In a nationwide referendum in 2000, voters defeated the draft constitution prepared by the Constitutional Commission that would have maintained a strong presidency.

The ruling party's candidates continued to benefit from the ZANU-PF's control of the state-owned firms that dominate the country's economy, from its control of the state-monopolized broadcast media (see Section 2.a.), and from its control over state funds granted to political parties. Under the Political Parties Finance Act (PPFA), the Government is required to allocate \$125,000 (Z\$100 million) among political parties in proportion to the parties' seats in the Parliament, provided the party has at least 15 seats. In 2001 the Government amended the PPFA to prohibit foreign funding for political parties. Political rights groups declared that the amended act was designed to cut off funding for the opposition, although ZANU-PF routinely ignored the PPFA's prohibitions without consequences.

Many persons who were perceived as opposition supporters by the Government, were removed from the civil service and the military.

There were 17 women in the 150-seat Parliament, including the Deputy Speaker of Parliament, and there were 4 female ministers and 1 female deputy minister in the Cabinet. In addition, there was one woman governor. Women participated in politics without legal restriction; however, according to local women's groups, husbands, particularly in rural areas, commonly directed their wives to vote for the husband's preferred candidates. The ZANU-PF congress allotted women one out of every three party positions and reserved 50 new positions for women on the party's 180-member Central Committee, which was one of the party's most powerful organs.

All major ethnic groups were represented in Parliament and in the Government; however, most members of the Government and the Parliament, as well as most ZANU -PF officials, belong to the Shona ethnic group, which

composed 82 percent of the population (see Section 5).

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government permitted local civic and human rights groups to operate, but it monitored their activities closely. The Government usually was unresponsive to the concerns of NGOs and rarely consulted with them during the year. National groups that promoted human rights included: The Amani Trust; the Bulawayo Legal Projects Centre; the Catholic Commission for Justice and Peace (CCJP); the Child and the Law Project; the Legal Resources Foundation; the Media Institute of Southern Africa; the Musasa Project; National Alliance of Nongovernmental Organizations; the NCA; the Southern African Foundation of the Disabled; Transparency International-Zimbabwe; the Women's Action Group; Women and AIDS Support Network; Women and Law in Southern Africa; Women in Law and Development in Africa; the Zimbabwe Elections Support Network; the Zimbabwe Human Rights NGO Forum; Zimbabwe Lawyers for Human Rights; the Zimbabwe Liberators Platform; the Zimbabwe Union of Journalists; the Zimbabwe Women Lawyers Association; Zimbabwe Women's Resource Centre and Network; Zimcet; and ZimRights.

Domestic NGOs worked on human rights and democracy issues, including lobbying for revision of the POSA and AIPPA, increasing poor women's access to the courts, raising awareness of the abuse of children, eliminating irregularities in voter rolls, conducting voter education, preserving the independence of the judiciary, and eliminating torture, arbitrary detention, and restrictions on freedom of the press and assembly. The Zimbabwe Human Rights NGO Forum has taken the lead in coordinating reports on human rights violations and abuses in the period prior to and following the 2000 elections.

During the March presidential election campaign only the government-sponsored ESC and government-approved NGOs were permitted to carry out voter education.

On September 13, the Government signaled its intention to step up its oversight of NGOs, many of which they accused of supporting opposition political activity. It published a notice saying it would begin enforcing the 1995 Private Voluntary Organizations (PVO) Act requiring all PVOs to apply for registration with the Ministry of Social Welfare. Most PVOs had ignored the 1995 Act and expressed concern that enforcement of it would give the Government excessive control over their activities. Government ordered all nonregistered PVOs to cease operations until they registered, a process that generally takes approximately 8 months. On November 16, Welfare Minister July Moyo declared in Parliament that the Amani Trust was in breach of the country's PVO registration laws. This coupled with ongoing government pressure and surveillance caused Amani Trust to cease operations indefinitely.

In a 2001 case brought by a women's NGO, the Supreme Court ruled unconstitutional those sections of the PVO Act that had authorized the Minister of Social Welfare, Labor, and Public Service to suspend the executive body or "any member of the executive committee of an organization and to appoint persons to manage the affairs of the organization for a specified time." Prior to the Supreme Court's ruling, several new NGOs set up their organizations as "associations" connected with established NGOs so that their executive bodies would not be subject to government interference.

In May local government minister Ignatius Chombo prompted war veterans in Binga district, Matabeleland North province, to close down the food distribution efforts of the CCJP, which was the only source of food for many rural residents in the Binga district. Chombo criticized the CCJP for establishing local structures parallel to the Government's structures. Beleaguered, the CCJP gave up their Binga operation to Save the Children UK which resumed food deliveries to Binga in November.

On August 29, police arrested and detained incommunicado overnight Frances Lovemore, acting director of a leading human rights organization, Amani Trust, after searching the organization's offices. She was denied access to food and a blanket. Lovemore was arrested for violating the POSA after she reportedly said the government youth brigades were "raping [women] on a mass scale." She was charged formally under POSA with publishing falsehoods prejudicial to the state; however, all charges against her were dropped due to insufficient evidence.

Unlike in the previous year, there were no reports that war veterans abducted NGO directors.

Amnesty International, Transparency International, and the International Committee of the Red Cross operated in the country. The Government hindered representatives of international human rights groups from visiting the country before, during, and immediately after the presidential elections. For example, on April 18, the Government

denied entry at Harare International Airport to the co-director of the Africa Program of the International Crisis Group. He was not given reasons why he was denied entry, but his organization had published a number of reports strongly critical of the Government. Norwegian parliamentarians and a prospective contractor for foreign government project were also denied entry at the airport, and the Government announced that citizen employees of Short Wave Radio-Africa would not be permitted to return to the country.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides that "every person in Zimbabwe" cannot be deprived of fundamental rights, such as right to life, liberty, and security of person, based on his race, tribe, place of origin, political opinions, color, creed, or sex; however, domestic violence and discrimination against women, abuse of children, and discrimination against persons with disabilities were problems. The Government and ruling party discriminated against the white minority in areas of due process, foreign travel, and property ownership.

Women

Domestic violence against women, especially wife beating, was common and crossed all racial and economic lines. It occurred throughout the country and sometimes resulted in death. The Musasa Project, a leading women's rights organization, reported that the number of incidents of domestic violence increased during the year due to the deteriorating economy and higher unemployment among men. In one high-profile case, MDC M.P. and spokesperson for the party, Learnmore Jongwe, admitted to fatally stabbing his wife and subsequently died in police custody of chloroquine poisoning. The organization addressed approximately 1,669 cases during the year. Musasa reported that 54 percent of the women counseled for domestic violence had sexually transmitted diseases, and 29 percent had HIV/AIDS.

There continued to be reports of rape, incest, and sexual abuse of women. Musasa handled 22 cases of rape in the first 8 months of the year; many cases were not reported because of the social stigma attached to the crime and wives' fear that husbands may disown them. Approximately 1,200 rapes were reported in Harare in 2001. Although the Government refused to supply figures for the year, the rate reportedly was higher than in 2001. Musasa and Amani Trust reported 14 cases of politically motivated rape during the year; human rights groups estimated that the actual number of politically motivated rapes may number in the hundreds (see Section 1.c.). Women faced many obstacles in filing reports of rape; for example, many police stations were not prepared to handle properly the investigation of such cases. When cases go to court, lengthy sentences for rape and wife beating generally were imposed. However, a "binding over" order (an order to appear in court to respond to an accusation of violent behavior) was issued based only on actual physical abuse and not on threats of violence. Courts also did not have the power to oust an abusive spouse from a couple's home. Systemic problems and lack of education often meant that police did not respond to women's reports or requests for assistance.

There were reports of sexual abuse of female refugees (see Section 2.d.).

In 2001 the Sexual Offenses Act was enacted, which improved the legal recourses available to women. The Act enhances the protection of women by making nonconsensual sex among married partners a crime. The Act provides penalties for up to 10 years in prison for sexual crimes. It also expanded the definition of sexual offenses to include rape, sodomy, incest, indecent assault, or an immoral or indecent act with a child or person with mental disabilities.

Female genital mutilation (FGM) rarely was performed in the country. However, according to press reports, the initiation rites practiced by the small Remba ethnic group in Midlands Province include infibulation, the most extreme form of FGM.

There were anecdotal reports of the trafficking of women (see Section 6.f.).

Since independence the Government has enacted laws aimed at enhancing women's rights and countering certain traditional practices that discriminate against women; however, women remained disadvantaged in society. Illiteracy, economic dependency, and prevailing social norms prevented rural women in particular from combating societal discrimination. Despite legal prohibitions, women still were vulnerable to entrenched customary practices, including the practice of pledging a young woman to marriage with a partner not of her choosing and the custom of forcing a widow to marry her late husband's brother.

The law recognizes women's right to own property independently of their husbands or fathers. Although unmarried women may own property in their own names, women married under customary law were not allowed to own

property jointly with their husbands. The Administration of Estates Amendment Act makes inheritance laws more favorable to widows; however, in 2000 the Supreme Court upheld a magistrate court decision that, under customary ethnic law, a man's claim to family inheritance takes precedence over a woman's, regardless of the woman's age or seniority in the family. The Court cited Section 23 of the Constitution, which allows discrimination against women under customary law. Divorce and maintenance laws were favorable to women, but women generally lacked awareness of their rights under the law.

Although labor legislation prohibits discrimination in employment on the basis of gender, women were concentrated in the lower echelons of the work force and commonly faced sexual harassment in the workplace. One in three working women at all levels was subjected to sexual harassment in the workplace.

In 2000 the Government promised to grant a quota of 20 percent of resettled land to women, although they comprised nearly 80 percent of the rural population. During the year, very little land was granted to women under the fast-track resettlement scheme. The women who were allocated land were asked to register the land in their husband's names. In contrast there were reports that the wives of senior government officials were allocated some well-established commercial farms in their own right (see Section 1.f.).

There is a Ministry of Youth Development, Gender, and Employment, but it did little to advance the cause of women. The Government gave qualified women access to training in the military and national service. Although there have been advances for women, they continued to occupy mainly administrative positions.

Several active women's rights groups, including Women in Law and Development in Africa, the Musasa Project, the Zimbabwe Women Lawyers' Association, the Women's Action Group, and the Zimbabwe Women's Resource Center and Network concentrated on improving women's knowledge of their legal rights, increasing their economic power, and combating domestic violence. Groups that focused on the problems of protection of women against domestic violence and sexual transmission of HIV/AIDS included the Women and AIDS Support Network and the Musasa Project.

Children

The Government's commitment to children's rights and welfare deteriorated during the year. The Government focused primarily on political issues, to the detriment of pressing social needs. Consequently, children, especially those in the rural areas, suffered greatly. Although legislation was in place to protect children's rights, it was difficult to administer. The Children's Protection and Adoption Act, the Guardianship of Minors Act, the Deceased Person's Maintenance Act, and Sexual Offenses Act supposedly protect the legal rights of minor children, but they were not enforced effectively.

While there was no compulsory education and schooling was not free, in the past the country had made considerable progress in providing education for children. However, because of increased school fees in urban schools and rural secondary schools, enrollment has declined. School fees have risen sharply due to high inflation, resulting in the inability of many families to afford to send all of their children to school. The Government established a program of social welfare grants for needy children; however, it was underfunded and corruption undermined the beneficiary selection process. The members of selection committees in some communities gave grants to their relatives and friends and denied them to the children of opposition supporters.

In most regions of the country, fewer girls than boys attend secondary schools. If a family was unable to pay tuition costs, it most often was female children who left school. The literacy rate for women and girls over the age of 15 was estimated to be 80 percent, while the male rate was approximately 90 percent. However, budget cuts and the lack of adequate attention to HIV/AIDS prevention eroded the Government's capacity to address children's needs in these areas.

The Government ordered that students entering college, teacher training schools, or the civil service must present a diploma from one of the newly established training camps (see Sections 1.c. and 6.c.). Graduates of the latest "class," which numbered in the several hundreds, were placed in police and military units. Reportedly the GMB hired 1,250 of the graduates for unspecified duties.

Several schools were shut down as teachers who supported the MDC were tortured and told they were not allowed to work as long as they did not support ZANU-PF and the President. There were reports that some schools were used as torture centers (see Section 1.c.).

International experts estimated that HIV/AIDS infected one-third of the adult population and killed approximately

2,000 persons every week. Deaths from HIV/AIDS created hundreds of thousands of orphans, a number expected to rise to 1 million by 2005. Government-funded and private orphanages were filled to capacity, and the number of street children or those living in adoptive homes rose dramatically and visibly during the year. This rapidly growing problem was expected to put a tremendous strain on both formal and traditional social systems. At the household level, there was an increased burden on the extended family, which had traditional responsibility for caring for orphans. Many grandparents were left to care for the young, and in some cases, children or adolescents were heading families. Many orphans were sent to foster homes, where they often become victims of sexual abuse. At the provincial and national levels, the governments faced increasing demands for community orphan projects, orphanages, health care, and school fees.

The number of street children, and the related problems of theft, street violence, drug use, and violent death, increased significantly. There were an estimated 12,000 homeless street children in the country in 1999, and an estimated 5 to 6 children joined those ranks daily during the year. The number of incidents of child abuse, including incest (long a taboo), infanticide, child abandonment, and rape increased during the year. It was not known whether the statistics reflected the fact that more cases were occurring or only that more were being reported. The Parents and Family Support Network, a local NGO, reported that one in three children in the country was at risk of physical or emotional abuse. There was a large volume of rape cases in the Harare victim-friendly courts (VFC), which consisted of individual magistrates designated to try family cases. These courts were understaffed because many magistrates sought more lucrative employment outside the country. The large volume led to calls by children's rights' advocates to establish additional courts in surrounding areas.

Children were at increasing risk of HIV/AIDS infection as a result of the rising rate of sexual abuse cases. The Sexual Offenses Act (SOA) makes it a crime to infect anyone knowingly, including children, with HIV/AIDS. The SOA provides for a maximum fine of \$115 (Z\$35,000) or imprisonment of up to 7 years for those convicted of prostituting children under 12 years of age. It also provides for a maximum fine of \$167 (Z\$50,000) and a maximum prison sentence of 10 years for "procuring another person to become a prostitute and have sex whether inside or outside Zimbabwe." Although this Act was passed in 2001, it had little impact on the status of children. The Zimbabwe Women's Lawyers Association (ZWLA) claimed that most magistrates in the country were not aware of some of its contents or that the law was in effect. ZWLA's research illustrated that many magistrates continued to make judgments based on old laws. ZWLA was in the process of conducting training courses for local magistrates. The criminal justice system has special provisions for dealing with juvenile offenders.

A local NGO, Musasa Project, worked closely with the Ministry of Youth Development, Gender, and Employment Creation to investigate allegations of young girls being raped at the Government's national youth service training camps, established by the late Minister Border Gezi (see Section 6.c.). Musasa believed that the girls who were subjected to abuse remained silent out of fear of retribution. Many young girls came to the camps because of the economic suffering in the country. In addition, members of government militias gang raped adolescent girls some as young as 12.

There were several cases of child rape within the country during the year, but no reports of trafficking associated with these cases. There were some reports of arranged marriages involving young girls, but no reports of sexual exploitation or forced labor associated with those.

No action was taken against the gardener who sodomized his employer's son and reportedly infected him with HIV/AIDS in 2001.

The 2000 case in which war veterans abducted and sexually abused 10 schoolchildren reportedly was under investigation; however, there was no further information available at year's end.

FGM was performed rarely on young girls (see Section 5, Women).

There were some reports that girls under 17 years of age were engaged in prostitution, and there were anecdotal reports of trafficking in children (see Section 6.f.). The Sexual Offenses Act, provides fines and imprisonment for those convicted of prostituting children or procuring prostitutes inside or outside the country.

The traditional practice of offering a young girl as compensatory payment in interfamily disputes continued during the year.

Indigenous African churches that combine elements of established Christian beliefs with some beliefs based on traditional African culture and religion generally accepted polygyny and the marriage of girls at young ages; they also generally approved of healing only through prayer and opposed science-based medicine including the

vaccination of children.

Child rights advocates criticized the failure of Government to provide children with birth certificates, which they blamed on overly stringent requirements and a shortage of staff at the relevant ministry. There also was concern that children displaced as a result of the land redistribution program would not be able to obtain birth certificates because they would be unable to obtain letters from evicted farmers to prove that they were born on the farms.

Unlike in the previous year, there were no reports of ritual murders and killings of children for body parts that were associated with traditional religious practices.

Persons with Disabilities

The law specifically prohibits discrimination against persons with disabilities in employment, admission to public places, or provision of services and was viewed by advocates of persons with disabilities as model legislation; however, in practice the lack of resources for training and education severely hampered the ability of persons with disabilities to compete for scarce jobs. The law stipulates that government buildings should be accessible to persons with disabilities; however, implementation of this policy has been slow. A local NGO was working on auditing and implementing the law during the year. NGOs continued to lobby to include albinos in the definition of "disabled" under the law. Persons with disabilities face particularly harsh customary discrimination. According to traditional belief, persons with disabilities were considered bewitched, and reports of children with disabilities being hidden when visitors arrive were common.

The SOA expanded the definition of sexual offenses to include an immoral or indecent act with a person with mental disabilities.

National/Racial/Ethnic Minorities

According to Government statistics, the Shona ethnic group makes up 82 percent of the population, Ndebele 15 percent, whites less than 1 percent, and other ethnic groups 2 percent. There were tensions between the African majority and the white minority, between the Shona majority and the Ndebele minority, and among the various Shona subgroups.

During the 1960s and 1970s, elements of the white minority rebelled against British rule and established and maintained a racially discriminatory apartheid regime, which was dismantled in 1980 only after insurgencies by the armed wings of ZANU and the Zimbabwe African People's Union (ZAPU), and economic sanctions by the international community. The white community remained economically privileged despite government efforts to confiscate most of their land (see Section 1.f.).

Government services generally were provided on a nondiscriminatory basis. The Government has sought to expand and improve the previously "whites only" infrastructure in urban areas to provide health and social services to all citizens, and all schools and churches were integrated legally. However, social interaction between Africans and whites remained uncommon. Racial tensions have subsided since independence and remained low despite the Government's ongoing attempts to blame whites for the country's economic and political problems. On many occasions, President Mugabe, members of his Government, and the state-controlled media attempted to reignite resentment of the white minority. President Mugabe accused the white minority of having too close ties to their ancestral countries and criticized other governments for trying to interfere with the "continuing liberation struggle." The Government's far-reaching fast-track resettlement program designated 97 percent of large-scale, white-owned commercial farms for seizure with no clear means for providing compensation, and government supporters and war veterans assaulted commercial farmers in their homes and forced hundreds from their property (see Sections 1.a., 1.c., and 1.f.). Ruling party supporters seldom were arrested or charged for infringing upon minority rights.

Although relations between the Shona and the Ndebele have improved since the Shona-dominated government suppressed an alleged insurgency by Ndebele civilians in the 1980s that killed an estimated 10,000 to 20,000 Ndebele civilians in Matabeleland, the disproportionate number of Shona speaking teachers and headmasters in Matabeleland schools remained a sensitive issue. Members of the Ndebele community continued to criticize the Government's unequal distribution of national resources and the Government's failure to compensate victims of the 1980's Matabeleland killings.

Section 6 Worker Rights

a. The Right of Association

The Labor Relations Act (LRA) provides private sector workers with freedom of association and the right to elect their own representatives, publish newsletters, set programs and policies that reflect the political and economic interests of labor, and form or join unions without prior authorization, and workers exercised these rights. The LRA allows for the existence of multiple unions per industry, provided that each is registered with the Ministry of Public Service, Labor, and Social Welfare (MPSLSW). While the Government can deregister individual unions, the High Court has ruled that the LRA does not give the Minister the power to suspend or deregister the national umbrella labor confederation, the ZCTU. In 2001 ZANU-PF brought the Labor Relations Amendment Bill before Parliament that proposed enhanced dispute settlement mechanisms and increased procedural barriers required before unions can call a strike, and the parliamentary legal committee issued an adverse report on the bill, calling many of its provisions unconstitutional. The Zimbabwe Tripartite Task Team--composed of representatives from the Government, employers, and workers--met in August to consider the proposed amendments to the LRA. There were serious objections to some of the bill's language from labor unions, and there was little consensus as to the final form of the proposed amendments. The bill remained under consideration at year's end.

At the end of 2001, approximately 25 percent of the formal sector work force (approximately 400,000 workers) belonged to the 31 unions that form the ZCTU; however, labor unions suffered dramatic losses in membership due to the contraction of the economy over the past 2 years. In 2001 more than 80 percent of all industries were unionized; however, during the year, the percentage was between 65 and 70 percent. Approximately 160,000 workers belong to unions (roughly 17 percent of the workforce), although not all were dues paying members. Although the Government encouraged the ZCTU's formation, anticipating that it would form the labor arm of ZANU-PF, it no longer controlled the ZCTU; many of the leaders of the MDC began their public careers with the ZCTU. ZCTU officers were elected by delegates of affiliated trade unions at congresses held every 5 years; the ZCTU elected a new leadership at its congress in February 2001. ZANU-PF reportedly tried to influence the election of its preferred candidates at the congress by paying the back dues of affiliated unions and bribing congress delegates; however, the majority of candidates elected were independent of ZANU-PF. The Government and the ZCTU regularly clashed sharply over economic policy. The Government often did not consult either the ZCTU or employers before implementing policy decisions that affected the workplace. This lack of consultation often resulted in disrupted labor relations.

Public servants and their associations, the Public Service Association (PSA), and its branch associations, the Zimbabwe Teachers Association (ZIMTA), the Zimbabwe Nurses Association, and the Civil Service Employees Association, were not covered by provisions of the LRA. Instead, their conditions of employment were provided for under the Constitution. Although civil servants constitutionally were barred from forming unions, the PSA, and its affiliated associations, were members of the ZCTU.

The Labor Relations Amendment Act (LRAA) specifies that workers may establish independent worker committees, which existed side by side with unions in each plant. Worker committees also had to be registered with the MPSLSW, which was free to refuse registration. ZCTU officials believed that the formation of worker committees was an attempt to dilute union authority, because the worker committees comprised both union and nonunion workers; however, the ineffectiveness of worker committees demonstrated the need for the experienced worker representation of the established trade unions.

The LRA allows for the formation of multiple national labor federations. The ZCTU is the oldest and most powerful labor federation; however, the Government openly targeted the ZCTU by announcing that the ZCTU was a political organization and declaring it aligned with the opposition MDC. Under the restrictive POSA, the Government claimed the right to have police members present during ZCTU's meetings--even those at the executive level--by claiming these private meetings to be "public meetings" banned under the Act. During the year, ZCTU successfully challenged this interpretation in court and no longer was required to inform the police of its meetings and allow plainclothes police to attend.

On February 16, government youth militia members abducted ZCTU council member Ephraim Tapa and his 5-month pregnant wife Faith from a roadside canteen approximately 100 miles north of Harare. The Tapa's were accused of supporting the opposition and held for almost 1 month in different locations, during which time Mr. Tapa was beaten frequently, at least once to the point of unconsciousness. They overheard their captors plotting their killing; however, police rescued them in the Mushimbo area near the border with Mozambique.

The ZCTU continued to criticize violence directed at agricultural workers who live and work on commercial farms. Many of these agricultural workers were members of GAPWUZ, which was affiliated with the ZCTU.

The Zimbabwe Federation of Trade Unions (ZFTU) was led by its vice president Joseph Chinotimba, the "war veteran" and self-styled leader of the 2000 farm invasions and 2001 factory invasions, who continued to disrupt relations between workers and their union leadership. In addition to arbitrarily guaranteeing wage increases and new benefits absent any agreement by employers, the ZFTU used a variety of coercive methods to convince workers to join its ranks. There were credible reports that ZFTU activists threatened to physically attack workers or publicly mark them as opposition supporters. In order to "persuade" them to change their labor union allegiance, the ZFTU at times sent armed gangs to force workers out of bed during the night to chant ZANU-PF slogans and prove their allegiance to the party.

The ZFTU increased its presence on several fronts during the year, and worked closely with ZANU-PF to undermine the ZCTU. ZANU-PF/ZFTU sponsored a second set of May Day commemorations intended to overshadow the traditional ZCTU workers' day celebrations. In many cities throughout the country, including Harare, the public venues normally rented by the ZCTU were coopted by the ZFTU. The politically charged alternative ZFTU gatherings decreased attendance at ZCTU celebrations; however, attendance at most ZFTU events was low as well. The ZCTU's Harare commemoration occurred without incident, despite a heavy police presence and subsequent ZANU-PF denunciations that it was a "political rally."

The ZFTU also was responsible for confrontations involving the agricultural sector. During the year, the Government passed Statutory Instrument 6 (SI6), which was perceived widely as an attempt to bankrupt and dispossess white commercial farmers. Under SI6 commercial farmers whose farms were acquired compulsorily were required to pay all of their farm laborers terminal benefits or "retrenchment packages," including severance benefits, payment for accrued leave, bonuses, and a "gratuity." These packages were fixed by law in a formula that depended on the number of years worked by each employee, with some packages reaching in excess of \$724 (Z\$500,000). According to SI6, if the farmer did not have funds to finance the retrenchment packages, he could pay half immediately and postpone the remainder until, or if, he received compensation for the improvements on the land from the Government, but only with the consent of their labor force. However, the agricultural workers, who were left impoverished by the land redistribution program, virtually never gave permission to delay payment of the retrenchment package. The ZFTU, under the personal leadership of Chinotimba, successfully capitalized on the fears of the labor force by instigating hostile confrontations with farmers, in some instances barricading farmers inside their homes and demanding liquidation of any available asset to fund immediate payout of the retrenchment package. This also happened on farms that had not received final acquisition orders. In most cases, the ZFTU officials who orchestrated these confrontations collected between 30 and 40 percent from each retrenchment package as their "fee."

The LRA prohibits antiunion discrimination by employers against union members. Complaints of such discrimination were referred to labor relations officers and subsequently adjudicated by the Government's Labor Relations Tribunal (LRT). Such complaints were handled under the mechanism for resolving cases involving "unfair labor practices." The determining authority may direct that workers fired due to antiunion discrimination should be reinstated, although this was not utilized in practice.

The ZCTU and its officials ostensibly were free to associate with international labor organizations, and they do so as actively as possible. The ZCTU was affiliated formally with the International Labor Organization (ILO), the International Confederation of Free Trade Unions (ICFTU), and the Southern African Trade Union Coordinating Council. The ZFTU had no known international affiliations.

Before the annual ILO conference in Geneva, there was a great deal of tension regarding the Government's intentions towards the ZCTU. The Government accredits a labor organization, traditionally the ZCTU, to attend the convention as the workers' representative alongside the employers' representative and a government representative. During the year, the Government postponed its declaration as to which workers' organization would receive accreditation until the last minute, which raised concern that the Government might accredit the rival ZFTU. The ZCTU planned to raise an objection with the Accreditation Committee if the ZFTU was accredited as the official delegate; however, the Government backed down in the face of overwhelming international support for the ZCTU. The ZCTU was formally accredited as the official delegate representing the country's workers, with the ZFTU leaders being given an official role as "advisors." The Government paid for the attendance of the ZFTU representatives.

During the conference, after ZCTU officials had presented detailed and documented evidence of interference by ZFTU members and ZANU-PF operatives against its membership, ZCTU president Lovemore Matombo stated that the country "was no longer subject to democratic processes," and called for a "direct contacts mission" from the ILO to "bring his country back to a more democratic industrial relations system." Labor Minister July Moyo stated that the Government was negotiating amendments to the LRA and that the legislation would be sent to the ILO's Committee of Experts (COE) for its examination. The ILO requested follow-up information regarding the proposed

amendments, and stated that if the Government did not accept an ILO mission, the COE would "take the appropriate measure in this respect next year."

No further action was reported on pending ILO cases during the year, although the ILO continued to request information from the Government regarding alleged interference with the right to organize and bargain collectively.

b. The Right to Organize and Bargain Collectively

The LRA provides workers with the right to organize. As originally written, the act did not address the right to bargain collectively; however, the LRAA permits unions to bargain collectively over wages. Worker committees, which by law were not organizationally part of the unions or the ZCTU, were empowered to negotiate with the management of a particular plant on the conditions of labor and codes of conduct in the workplace, except for wages. Unions, employers, and individual workers have the right to take their grievances to the Government's LRT for final adjudication. Despite the additional appointment of four new judges, the LRT continued to maintain a 2-year backlog of cases. While the ZCTU claimed that any labor grievance should be resolved with 21 days, many cases took years to resolve.

Collective bargaining and wage negotiations take place on an industry-wide basis between the relevant union and employer organizations sitting on joint employment boards or councils. Collective bargaining agreements applied to all workers in an industry, not just union members. Between April and July each year, workers and employees negotiated salary increases and other benefits in their respective National Employment Councils. These bodies submit their agreements to the Registrar in the MPSLSW for approval. The Government retained the power to veto agreements that it believed would harm the economy; however, it did not involve itself directly in labor negotiations unless requested to do so by one of the parties. When no trade union represented a specific sector, representatives of the organized workers, such as the professional associations, meet with the employer associations, under the mediation of labor officers from the MPSLSW. Companies offered wage increases that did not keep up with inflation during the year, and most workers and unions accepted the increases offered because of the economic crisis, but some continued to press for higher wages. The Government called for a wage freeze to last for 18 months to counter inflation; however, this was not accepted by the labor unions nor enacted into law.

Employees in positions designated as managerial were excluded from union membership and thus from the collective bargaining process. The ZCTU stated that the definition of manager in the LRAA was overly broad and criticized the Government and private sector for using it to exclude managers from the collective bargaining process.

The Salary Service Department of the MPSLSW determined public sector wages, subject to the approval of an independent Public Service Commission (PSC) (see Section 6.e.). Each year PSC officials meet with PSA representatives to review wages and benefits. These reviews result in a recommendation that is forwarded to the MPSLSW. The Minister is not required by law to accept the recommendation and usually proposed a wages and benefits package that was less than the recommendation, resulting in yearly industrial protest actions by civil servants.

The Government is a signatory to various ILO conventions, including Convention 98, which provides for the right to organize and the right to bargain collectively. The ILO's COE stated that several pieces of the country's legislation restricted workers' rights provided for by Convention 98. Under cover of the LRA, the Minister of Labor allegedly interfered with the internal affairs of both workers' and employers' organizations. The Government also could impose compulsory arbitration whenever it considered that it was appropriate. Moreover, the Minister of Labor was authorized to set minimum wages and maximum benefits that limited the right to bargain collectively. In addition, collective bargaining agreements reached between employers and workers were subject to approval by the Minister of Labor. The COE also raised other questionable legislation, including the Public Service Act of 1996, which denies the right of public servants to join unions.

It was very difficult to conduct a legal collective job action. There is no right to strike in the Constitution, and the LRA and the LRAA do not mention this issue. The law prohibits essential employees from striking, and the Government defined all public sector workers as essential. The Government also considered some private sector workers, such as those in the health sector, as essential workers. The ZCTU was apprehensive about the Minister of Labor's power to declare which sectors constituted "essential services," which precluded such sectors from engaging in strikes. The ZCTU noted that proposed amendments to the LRA, as well as other pieces of legislation such as the POSA, gave the Government enhanced power to declare a service essential or otherwise penalize workers who engaged in collective action.

The ICFTU has criticized the labor laws for giving "wide scope to the authorities to declare that a given enterprise or industry constitutes an essential service, and then impose a ban (on strikes) on it." Unlike in the previous year, the authority to reclassify a previously nonessential service as essential was not used. Government officials stressed that the Government reserved the right to impose these bans at its discretion.

Managers also were prohibited from striking, and in some industries, the Government defined most employees as managers. For the remaining nonessential employees legally to conduct a strike more than 50 percent of the company's employees must vote in favor of the action. Many employees were afraid of management reprisals. If a majority voted to strike, the dispute was referred to the concerned government agency for resolution. Only if the government-appointed arbitrator determined that a resolution was not possible was the right to strike granted. These government-imposed delays prevented most employees and their unions from ever declaring legal strikes; however, during the year, illegal strikes or work stoppages have occurred within individual companies and in entire industries occasionally. There were a number of labor actions, including strikes and stayaways, during the year; however, due to the political uncertainty in the country, no mass stayaway was successful.

For example, in March immediately after the presidential election, the ZCTU called for a mass stayaway protesting the outcome of the election. Due to a variety of factors, including a lack of publicity by the government-controlled television station and newspapers as well as fears about the likely Government reaction, the strike was not supported fully by constituent unions. The ZCTU was reluctant to call for another mass stayaway and believed that the failed effort was counterproductive and worse than no effort at all; however, strikes occurred within individual industries throughout the year, primarily protesting the erosion of income and the increased cost of living.

A 1-day stayaway was called by the NCA for December 9. The ZCTU neither endorsed the call for mass action nor discouraged their members from participating. The night before the stayaway, the Government arrested 11 members of the ZCTU--9 senior elected officials and 2 functionaries--and incarcerated them for 48 hours. The Secretary-General was held incommunicado with no food or water, was beaten on the head and body with the heels of his captors' open hands (resulting in a burst eardrum and bruised ribs), was beaten on the soles of his feet with a broomstick, and was threatened with death. Prosecutors asked that the trade unionists be charged with attempting to overthrow the constitutionally elected Government; however, the judge released all 11 without charge.

Stagnating wages, increasing inflation, and eroding value of income were the major concerns for all sectors of the labor force. Some sectors addressed this by implementing a biannual wage adjustment, others have adjusted wages quarterly. Still other sectors--particularly those that were subject to price controls on their finished products--were unable to increase wages due to pressures from increases in the cost of their inputs and decreases in profitability. Other sectors have resorted to strikes in order to pressure their employers into raising wages. Striking workers have received increases averaging 45 percent.

In late July, despite being categorized as providers of "essential services," junior and mid-level doctors went on a 3-week strike protesting their low wages, a newly implemented doctor grading system, and poor working conditions. The healthcare sector particularly has been hit hard by a number of factors: Lack of foreign exchange to buy drugs, significant professional attrition due to physicians and nurses seeking better salaries in other countries, high inflation combined with the rapidly eroding exchange rate, and the increasing impact of the HIV/AIDS pandemic. The doctors returned to work with an increase in wages; however, the healthcare system remained unstable.

In early October, the Progressive Teachers' Union of Zimbabwe (PTUZ), one of the two major teachers' unions, called a strike. Despite common grievances regarding pay scale, conditions of work, and other benefits, the more mainstream ZIMTA did not support the strike. Teachers, particularly members of the PTUZ, often were suspected to be MDC supporters and were subjected to harassment by ZANU-PF supporters, war veterans, and government youth militia members. A recent Government decree indicated that all headmasters, including private school headmasters, would become civil servants so that persons of the "right sort" would be leading the country's schools. The Government also announced a policy under which teachers' colleges must give first preference to students who have completed youth service training, such as that provided at the government's Border Gezi Youth Training Center. In one teacher training school in Masvingo, there were 750 youth training graduates, overwhelming facilities intended for 325 students. A combination of extremely low salaries and increased pressure from the Government threatened to widen the strike. Despite press reports, no teachers were fired for striking.

Prior to the teachers' strike, a new graduate teacher earned approximately \$12.46 (Z\$20,000 dollars) per month. Although the PTUZ teachers returned to work in November after the Government offered a salary increase to all teachers, both unions continued actively to negotiate the amount of the increase and other benefits. Government sources claimed that the pay scale will be adjusted to give experienced teachers--defined to include those teachers

who have undergone "national service" training such as the Youth Service training--a commensurately higher salary. While one group of established teachers and headmasters has already completed such a course of national service training, an agreement regarding salary increases had not yet been reached at year's end.

Unlike in the previous year, there were no reports that war veterans forced striking civil servants to work.

In May the ZFTU made a concerted effort to discredit the ZCTU and to coopt the membership of the ZCTU-affiliated Zimbabwe Sugar Milling Workers union in the Chiredzi sugarcane region. After promising a raise, which was not negotiated with the employers, ZFTU called for a strike. During the strike, anyone perceived as not supporting the strike or as a ZCTU supporter was harassed and physically attacked. Many workers were beaten severely and hospitalized. ZCTU leaders were not able to intervene because they feared for their lives. After several weeks, the employers granted the wage increase. During the year, the ZFTU was active in fomenting unrest and urging spot strikes by agricultural workers against individual farmers to win retrenchment packages (see Section 6.a.).

In 2001 members of the security forces attempted to disperse forcibly a strike at the Zimbabwe Iron and Steel Company (ZISCO) plant in Redcliff, which resulted in the deaths of 3 strikers and injuries to 10 others. The Government claimed that the police shot the three accidentally; however, labor activists stated that the security forces fired at the workers deliberately to break up the strike. Although police conducted an investigation, the results were not announced by year's end. The Steel Workers' Union sued the police and army for using excessive force; the case still was pending at year's end. During the year, representatives from the Iron and Steel Workers Union were called to Parliament to give evidence about the strikers' deaths to the Committee on Foreign Affairs, International Trade, and Indigenisation. At year's end, Parliament had taken no action on the representatives' testimony.

The LRAA streamlined the procedure for adjudicating disputes by strengthening the LRT. Labor relations officers hear a dispute; their decision may be appealed to regional labor relations officers, after which the LRT may hear the case. Ultimately it may be appealed to the Supreme Court. However, cases from as early as 1997 remained pending with the LRT at year's end.

There were few reported incidents of "factory invasions" such as those that occurred in 2001; however, coercion continued to be an issue, particularly regarding the ZFTU's actions.

The Export Processing Zones Act states the LRA shall not apply to workers in export processing zones (EPZs). The ZCTU has negotiated directly with EPZ employers to allow some unions in the EPZ, although their number and level of activity remained low.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children; however, there were reports that such practices occurred (see Section 6.f.). The traditional practice of offering a young girl as compensatory payment in interfamily disputes continued in rural areas (see Section 5).

The Government, war veterans, and the ZFTU have the power to force workers to perform labor, which they might not otherwise choose. In addition, during the year, the Government announced a compulsory youth service requirement under which young citizens were forced to undertake training at government-sponsored training camps such as the Border Gezi Youth Training Camp (see Section 5). This camp was the source of the youth militia forces, or "Green Bombers," who were deployed widely to harass, abduct, and torture suspected MDC supporters during the March presidential elections. The stated purpose of the training camps was to instill a sense of pride in the youths, highlight the history of the struggle for independence, and develop employment skills; however, they were reported to be training camps to instill ZANU-PF allegiance, paramilitary skills, and expertise in political oppression and torture.

d. Status of Child Labor Practices and Minimum Age for Employment

The law sets the minimum age for general employment of children at 12 years and restricts employment of those between the ages of 12 and 17 to light work during school holidays for periods not exceeding 6 hours per day. Light work was defined as work not likely to prejudice a child's education, health, safety, rest, or social, physical, or mental development. All hazardous employment, overtime, and night shift work was banned for those under the age of 18; however, there was little to no enforcement of these laws.

Child labor was common. According to the 2000 National Child Labor Survey, approximately 25 percent of children between the ages of 5 and 17 were involved in some form of child labor. Children worked in the agricultural sector, and there were reports that children worked as domestics and as car-watchers. Some form of child labor on large commercial farms formerly was widespread; however, the land resettlement program, which has expropriated almost 95 percent of commercial farms, has dispossessed child workers along with many thousands of adults.

The unemployment rate continued to grow, with some estimates as high as 75 percent, decreasing the number of children employed in the formal sector. However, the incidence of children working in the informal sector increased as families, often headed by children, needed a source of income. Approximately 35 percent of the adult population were infected with HIV/AIDS. As a result, more children worked in the informal sector to fill the income gap left by ill or deceased relatives. Many children sold simple wares on the streets; others worked in the booming illegal gold panning industry. In addition, there were reports of an increasing number of girls under 17 years of age engaged in prostitution. The deteriorating economy, accelerating social breakdown, and increasing impact of HIV/AIDS were forcing more children to work. Although child labor in the agricultural, domestic, and informal sectors increasingly was discussed, the Government and NGOs have been unable to gather concrete data on the number of cases.

In 2001 Parliament passed the Child Adoption and Protection Amendment Act, which incorporates ILO Convention 182 on the Worst Forms of Child Labor; however, the law was not implemented by year's end.

Forced child labor and child prostitution occurred (see Sections 6.c. and 6.f.)

e. Acceptable Conditions of Work

The maximum legal workweek is 54 hours, and the law prescribes a minimum of one 24-hour rest period per week. The Government regulated working conditions on an industry-specific basis. The Constitution provides the PSC with the authority to set conditions of employment in the public sector. The Government eliminated a national minimum wage as part of the Economic Structural Adjustment Program of 1990, with the exception of agricultural and domestic workers. Government regulations for each of the 22 industrial sectors continued to specify minimum wages, hours, holidays, and required safety measures. In recent years, in an effort to remove itself from the wage bargaining system, the Government mandated wage parameters for industries. Due to an ineffective monitoring system, many agricultural and domestic workers were remunerated below the minimum wage. In October 2001, the Government implemented new monthly wages of \$5.36 (Z\$4,181) for agricultural workers, \$10.13 (Z\$7,903) for agro-industrial workers, and \$11.44 (Z\$8,926) for industrial workers. While agreements to increase the minimum wage were reached in principle at the tripartite meetings in July and August, no national increase was instituted. Representatives from labor, employers, and the Government remained in consultation through year's end. Although the Government called for a wage freeze intended to last up to 18 months in support of its efforts to control inflation after the new minimum wage increases were determined, labor appeared unwilling to support this without major concessions in other areas.

Minimum wages in the formal sector changed continuously as a result of multiple increases in salaries to offset the high inflation rate. Some industries implemented wage increases every 6 months in an attempt to keep pace with inflation, the spiraling exchange rate, and the increases in the prices of basic food staples. However, in almost all cases, wage increases did not keep pace with these factors. The minimum wage did not provide a decent standard of living for a worker and family, and at least 70 to 80 percent of the population lived below the Government's poverty line.

Many of the basic legal protections do not apply to the vast majority of farm, mine, and domestic workers. Health and safety standards were determined on an industry-specific basis. Despite the lack of general standards, the National Social Security Authority's (NSSA) statistics from 1999 showed a decrease in the number of occupational injuries and deaths. There were 78 fatal job accidents reported, and 87 persons were killed in industrial accidents during the year. The NSSA reported an increase in the number of fatal accidents in the construction, electrical, and telecommunications industries and cited unskilled contract personnel performing jobs formerly done by professionals. In theory labor relations officers from the MPSLSW were assigned to monitor developments in each plant to ensure that government minimum wage policy and occupational health and safety regulations were observed; however, in practice these offices were understaffed, could not afford to inspect routinely workplaces, and relied on voluntary compliance and reporting by employers.

The Government designated the Zimbabwe Occupational Safety Council (ZOSHC) to regulate safe work conditions. The ZOSHC was a quasi-governmental, advisory body comprised of six representatives each from the Government, employers, and trade unions. The National Director of the ZOSHC was responsible for enforcing worker safety regulations. The director reported weekly to the MPSLSW on actions taken. Budgetary constraints

and staffing shortages, as well as its status as an advisory council, made the council ineffective. The NSSA continued to experience difficulty monitoring the thousands of work sites across the country; however, it began to enforce safety standards more vigorously by closing down shops and factories in noncompliance. Although workers have a legal right to remove themselves from dangerous work situations without jeopardy to continued employment, in practice they risked the loss of their livelihood if they did so, and this situation worsened during the year.

Foreign workers were covered by ZOSHC's safety standards, but domestic workers were excluded because of the "impracticality" of enforcing standards in private homes. Government workers also were excluded.

According to the ZCTU, some employers took advantage of illegal refugees for inexpensive labor. Because the job market traditionally was worse in neighboring countries such as Malawi and Mozambique, the refugees were willing to risk arrest and work for wages below the legal minimums; however, there was an increasing tendency for economic refugees to flee the country and seek work in countries such as South Africa and Botswana.

f. Trafficking in Persons

While no laws specifically address trafficking in persons, common law prohibits abduction and forced labor, and the Sexual Offenses Act makes it a crime to transport persons across the border for sex. There continued to be infrequent and anecdotal reports that persons were trafficked, particularly women and children, from and through the country to South Africa for prostitution and forced labor. Unlike in the previous year, there were no reports that Zimbabwe was a destination country.

In 2001 Parliament passed and signed into law the SOA, which makes it a crime to transport persons across the country's borders for the sex industry (see Section 5). Traffickers also can be prosecuted under other legislation, such as immigration and abduction laws. The primary government authority that would combat trafficking was the ZRP.

No NGO or law enforcement agency had any direct evidence of or statistics on either trafficking or child prostitution by year's end. A few NGOs, including South Africa-based Molo Songololo, Harare-based Save the Children Norway, and Connect had some anecdotal reports of both trafficking and child prostitution. Connect was compiling a qualitative report on the subject; however, the report was not expected to indicate the scope of the problem.

The approximately 20 anecdotal reports that Connect was compiling were mostly of Zimbabwean female teenagers whose families, in the economic decline, had accepted some form of payment in exchange for allowing them to work in brothels, notably in the border town of Beitbridge. Molo Songololo claimed that Zimbabwe was a transit point for children being trafficked from countries such as those in Asia and Malawi to South Africa; however, they could provide no specific examples or numbers of cases.

While it commonly was known that many Zimbabwean women worked in the hotel industry in South Africa, sometimes a euphemism for commercial sex work, and many Zimbabweans were low-wage agricultural workers in South Africa, there was no evidence of coercion or force in these areas.

There were no reports of organized trafficking groups. Unlike in the previous year, there were no reports that Taiwanese crime syndicates were involved in trafficking Chinese through the country.

The Government generally did not acknowledge the problem of trafficking in persons; however, a trafficked person had the option to take his or her case before the VFC. No cases were filed during the year.

The regional governments had not taken action on recommendations made at the 2001 conference on trafficking by year's end.